

URBAN/MUNICIPAL

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OCT. 1992

MINUTES OF THE
MEETINGS OF
THE COUNCIL
OF HAMILTON

1992 September 29

Minutes of Hamilton City Council
1992 September 29
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

City Council commenced with the playing of the National Anthem.

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Reverend Lewis H. Worrada, Jr. of Philpott Memorial Church led Council in prayer.

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Mayor R. M. Morrow presented a Certificate of Recognition for the 100th Anniversary of Philpott Memorial Church.

Mayor R. M. Morrow presented a Certificate of Recognition as presented for the Master Bowlers Association of Canada National Five Pin Championships.

Mayor R. M. Morrow presented civic silver pins to the Hamilton Synchronized Swim Team.

Mayor R. M. Morrow presented civic gold rings to the Hamilton and District Ten Pin Bowling

Mayor R. M. Morrow presented civic gold rings to the Asian All Star Bowling Championships held in Malaysia.

Members of City Council were presented with Blue and White Ribbons signifying the Canadian Forces involvement in United Nations Peacekeeping.

Mayor R. M. Morrow proclaimed the following:

- a) Hamilton and District Extend-a-Family Week for the week of September 13-19, 1992.
- b) Ontario Home Week for the week of September 27 to October 3, 1992.
- c) Legion Week for the week of September 20 - 26, 1992.
- d) Peace Park Day on October 8, 1992.
- e) Aids Awareness Week for the week of October 5 - 11, 1992.
- f) Waste Reduction Week for the week of September 27 - October 4, 1992.

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The minutes of the meeting held 1992 August 25 were adopted as circulated.

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Correspondence:

1. Letter dated 1992 August 28 from the Regional Municipality of Waterloo respecting New Legislation for Beverage Containers.

Referred to the Transport and Environment Committee.

2. Application dated 1992 September 15 from 394553 Ontario Limited c/o Mr. John and Dan Pasquale, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District regulation for property at Nos. 664-682 Concession Street, Hamilton, Ontario.

Received.

3. Application dated 1992 September 15 from Allan T. McGuirl and Florrie McGuirl, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for Block "1" and from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for Block "2" for property located at the rear of 614 Stone Church Road East, Hamilton, Ontario.

Received.

4. Application dated 1992 September 14 from Pane Del Sole Bakery, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "G-3" (Public Parking Lots) District for 150 Catherine Street North, Hamilton, Ontario.

Received.

5. Application dated 1992 September 16 from Frank and Filomena Ricci, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District regulations for property located at No. 21 Dunsmure Road, Hamilton, Ontario

Received.

6. Application dated 1992 September 17 from Shedaco Holdings Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for property located at No. 625 Rymal Road West, Hamilton, Ontario.

Received.

7. Application dated 1992 September 21 from 766284 Ontario Limited, Oakville, Ontario for a change in zoning from "AA" (Agricultural) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified for Blocks "1" and "2" and from "G-3" (Public Parking Lots) District, modified to "E" (Multiple Dwellings, Lodges, Clubs, etc.) (District, modified for Block "3" for lands at the rear of No. 141 Queenston Road, Hamilton, Ontario.

Received.

8. Letter from S. G. Hollowell, Acting City Clerk respecting an objection to By-law No. 92-197 respecting property within the block bounded by Cannon Street East, Elgin Street, Barton Street East and Ferguson Avenue North.

Received.

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It was moved by Alderman Kiss and seconded by Alderman Cooke that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and the Committee of the Whole be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. 17.

NAYS: -0.

CARRIED.

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TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

Section 18

Re: Banner across Main St. - Hamilton Air Show

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 19 Re: Banner across Main St. - FISU Women's Soccer

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 20 Re: Banner across Main St. - Bank of Montreal

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 21 Re: Banner across Main St. - World Figure Skating Champions

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 35

Re: CleanSoils Limited - Waste Disposal Site at Pier 26 - Hamilton Harbour East Port Development

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

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PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT

Re: Mohawk Sports Park and Bernie Arbour Stadium - sale of beer

It was moved by Alderman Jackson and seconded by Alderman Charters that Rule No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution to rescind a previous resolution of City Council respecting a Zoning change at Mohawk Sports Park and Bernie Arbour Stadium which, if implemented, would allow for the sale of beer at this facility. **CARRIED.**

It was moved by Alderman Jackson and seconded by Alderman Charters that the following be added as section 22 of the Seventeenth Report of the Parks and Recreation Committee:

22. That Section 8 of the Eleventh Report for 1991 of the Parks and Recreation Committee adopted by City Council on 1991 May 14 respecting a Zoning change at Mohawk Sports Park and Bernie Arbour Stadium, "to allow any approved user to obtain a stadium licence to sell beer at the Bernie Arbour Stadium", be rescinded. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - SIXTEENTH REPORT

Section 7(a) Re: Residential Underground Parking Study - Replacement of Appendix "A"

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Appendix "A" of the Sixteenth Report of the Planning and Development Committee for 1992, as referred to in Section 7 (a), be replaced with Appendix "A" attached hereto as passed by the Planning and Development Committee at its meeting held 1992 September 23. **CARRIED.**

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Section 14 Re: Carpenter Neighbourhood Plan - Upper Paradise Rd.

Alderman D'Amico declared personal interest, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father is a mortgage holder of this property.

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FINANCE AND ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT

**Section 33 Re: Leasing of Parking Lot owned by Theatre Aquarius Inc.
- Hamilton Parking Authority**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Anderson, Ross, D'Amico. -14.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

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Section 36 Re: Use of HECFI/City Hall Facilities

It was moved by Alderman Drury and seconded by Alderman Morelli that Rule No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the use of City Hall and/or HECFI facilities.

CARRIED.

Section 36 Re: Use of HECFI/City Hall Facilities

It was moved by Alderman Drury and seconded by Alderman Morelli that the following resolution be added to the Eighteenth Report of the Finance and Administration Committee for 1992 as Section 36:

36. That the City allow the registered "YES" and the registered "NO" Committees in the upcoming Referendum on the Constitution, the free use of HECFI or City Hall facilities on a once only basis to conduct information meetings and/or rallies."

CARRIED.

Section 36 Re: Use of HECFI/City Hall Facilities

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 36 of the Eighteenth Report of the Finance and Administration Committee be amended by deleting in the third line "HECFI or" and by adding the following after the word "rallies" in the fourth line "and further that HECFI be requested to grant similar approvals for the use of its facilities" and further that the words "on a once only basis" in the third and fourth line be deleted.

CARRIED.

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FINANCE AND ADMINISTRATION COMMITTEE - NINETEENTH REPORT

Re: Meeting with area M.P.'s and M.P.P.'s to discuss the current economic problems

It was moved by Alderman Agostino and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a meeting of all area M.P.'s and M.P.P.'s to discuss the current economic problems. **CARRIED.**

It was moved by Alderman Agostino and seconded by Alderman D'Amico that the following be added as Section 14 of the Nineteenth Report of the Finance and Administration Committee:

14. (a) That City Council request an emergency meeting of all area M.P.'s and M.P.P.'s, to meet with City Council in order to discuss the current economic problems in our community,
- (b) That City Council form a Mayor's Task Force on the economy and that this Task Force report back to City Council within ninety days with specific recommendations for short term and long term initiatives to revitalize the economy of Hamilton and surrounding areas;
- (c) That this Task Force be comprised of Business Leaders, Union Leaders and Citizen Members and, that Mayor Morrow be Chairman of this Task Force.

CARRIED.

COMMITTEE OF THE WHOLE - FOURTH REPORT

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RESOLUTIONS

Re: David Christopherson's appointment to Cabinet Minister

It was moved by Alderman Wilson and seconded by Alderman Copps that Rule No. 8 of the Procedural By-law 82-203 be invoked for this meeting of City Council to permit consideration of a resolution respecting David Christopherson's elevation to Cabinet Minister.
CARRIED.

It was moved by Alderman Wilson and seconded by Alderman Copps that City Council convey formal congratulations to David Christopherson, M.P.P. on his appointment as Minister of Correctional Services.
CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Cooke that Alderman F. D'Amico be appointed as Acting Mayor for the month of October, 1992.
CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Cooke that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

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NOTICE OF MOTION

Alderman Eisenberger gave notice that he would move the following motion at the next regular City Council meeting:

"That City Council support the application of H.E.C.F.I. to the L.L.B.O. for the sale of liquor in the tiered seating area of Copps Coliseum."

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It was moved by Alderman Kiss and seconded by Alderman Cooke that the following Bills be now read a first time:

A-68, A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76, A-77.

C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100, C-101, C-102, C-103, C-104, C-105, C-106.

H-61, H-62.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Cooke that Council move into Committee of the Whole to consider the following Bills, with Alderman Agro in the chair. (second reading).

A-68, A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76, A-77.

C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100, C-101, C-102, C-103, C-104, C-105, C-106.

H-61, H-62.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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Consideration of the Bills (second reading).

A-68, A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76, A-77.

C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100, C-101, C-102, C-103, C-104, C-105, C-106.

H-61, H-62.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Cooke that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-68, A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76, A-77.

C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100, C-101, C-102, C-103, C-104, C-105, C-106.

H-61, H-62.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Cooke that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-68, A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76, A-77.

C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100, C-101, C-102, C-103, C-104, C-105, C-106.

H-61, H-62.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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City Council then adjourned at 9:20 o'clock p.m.

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Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 September 29

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1992 and respectfully recommends:

1. (a) That the existing yield signs for westbound traffic on Dalkeith Avenue, Craigmiller Avenue and Cluny Avenue at Rosslyn Avenue North be replaced with stop signs; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That eastbound traffic on Unsworth Drive be required to stop for northbound traffic on Lancing Drive and southbound traffic on Hempstead Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That eastbound traffic on Florence Street be required to stop for northbound and southbound traffic on Ray Street; and
(b) That westbound traffic on Market Street be required to stop for northbound and southbound traffic on Ray Street; and
(c) That the existing eastbound and westbound stop control at the intersection of Ray Street and Peter Street be switched such that northbound and southbound traffic on Ray Street would be required to stop for eastbound and westbound traffic on Peter Street; and
(d) That a "No Stopping" regulation be implemented on the west side of Ray Street commencing at Napier Street and extending to a point 83 feet northerly therefrom; and

- (e) That a "No Stopping" regulation be implemented on the west side of Ray Street commencing at Napier Street and extending to a point 42 feet southerly therefrom; and
 - (f) That the City Traffic By-law No. 89-72 be amended accordingly.
- 4.
 - (a) That three-way stop control be implemented at the intersection of Lawnview Drive and Lawnhurst Drive; and
 - (b) That southbound traffic on Ling Street be required to stop for eastbound and westbound traffic on Lawnhurst Drive; and
 - (c) That eastbound traffic on Lesterwood Street be required to stop for northbound and southbound traffic on Ling Street; and
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
 - 5.
 - (a) That three-way stop control be implemented at the intersection of Berkindale Drive and Varga Drive; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
 - 6.
 - (a) That the existing "Alternate Side Parking" regulation on Connaught Avenue North between Beechwood Avenue and the south end be replaced with a "No Parking" regulation on the west side and unrestricted free parking on the east side; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
 - 7.
 - (a) That a "No Parking" regulation be implemented on the west side of Gurnett Gate between Gurnett Drive and Stone Church Road West; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

8. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 86 Tisdale Street South.
9. That the Director of Traffic Services be authorized to issue upon request one Time Limit Exemption Permit to each of the first two eligible applicants residing in the apartment building at No. 66 Stinson Street.
10.
 - (a) That the existing "Permit Parking" regulation on the west side of Fairfield Avenue, which commences at a point 173 feet north of Britannia Avenue and extends to a point 20 feet northerly therefrom be removed; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Walnut Street South commencing at a point 91 feet south of Forest Avenue and extending to a point 20 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Spero, No. 192 Walnut Street South; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
12.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Picton Street West commencing at a point 204 feet west of MacNab Street North and extending to a point 23 feet westerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Victor Bango, No. 52 Picton Street West; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.

13. (a) That a "No Stopping, 7:00 a.m. to 9:00 a.m., Monday to Friday" regulation be implemented on the east side of Bay Street South between Aberdeen Avenue and Markland Street; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

14. (a) That in accordance with the request by the Hamilton Street Railway Company:
- i. The following new bus stops be approved:

Route 56 Confederation Park

- | | | |
|----------|---|---|
| Inbound | - | Van Wagner's Beach Road, south side, 2,792 feet west of the centre line of Nash Road (M/B). |
| Inbound | - | Van Wagner's Beach Road, south side, 1,102 feet west of the centre line of Nash Road (M/B). |
| Outbound | - | Van Wagner's Beach Road, north side, 1,102 feet west of the centre line of Nash Road (M/B). |
| Outbound | - | Van Wagner's Beach Road, north side, 2,667 feet west of the centre line of Nash Road (M/B). |

- ii. The following bus stop removal be approved:

Route 56 Confederation Park

- | | | |
|---------|---|--|
| Inbound | - | Van Wagner's Beach Road, south side immediately west of Nash Road (N/S). |
|---------|---|--|

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That in accordance with the request by the Hamilton Street Railway Company:

- i. The following new bus stops be approved:

Route 24 Upper Sherman

- Outbound - Beaverton Drive, north side, 100 feet west of the centre line of Upper Sherman Avenue (M/B).
- Outbound - Acadia Drive, west side, 446 feet south of the south curb line of Butler Drive (M/B).
- Inbound - Acadia Drive, south side, 92 feet west of the centre line of Upper Sherman Avenue (M/B).

- ii. the removal of the following bus stop be approved:

Route 24 Upper Sherman

- Inbound - Beaverton Drive, south side, 302 feet west of the centre line of Upper Sherman Avenue (M/B).

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

16. That in accordance with Section 15 (1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Gregory Bartolotta

Michael Disanza

Douglas Eldridge

Melissa Gould

Nicholas Valenti

Joanne Wigmore

17. (a) That a School Crossing Guard be assigned to the intersection of Emperor Drive and Upper Wentworth Street during the morning and evening school crossing periods only on a permanent basis; and

- (b) That the School Crossing Guard located at Upper Wentworth Street and Vickers Road be removed upon the installation of the traffic signal at Upper Wentworth Street and Franklin Road.

18. That the application of A. Lutchin, agent for the Hamilton Air Show (150 King Street East, Hamilton) to display a promotional banner across Main Street West, in front of City Hall from Monday, 1993 June 14 to Monday, 1993 June 21 with the following message, be approved:

"Big 'V' Drug Stores Hamilton International Air Show"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

19. That the application of L. Vamos, agent for FISU Women's Soccer (World University Games) (McMaster University, Hamilton) to display a promotional banner across Main Street West in front of City Hall from 1993 July 5 to 1993 July 12, with the following message, be approved:

"World University Games - City of Hamilton and McMaster University Host the First Women's Soccer Championship - July 8 to 18"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

20. That the application of H. Russell, agent for the Bank of Montreal (1 James Street North, Hamilton) to display a promotional banner across Main Street West in front of City Hall from 1993 November 29 to 1993 December 6 with the following message, be approved:

"A Historic Celebration - Bank of Montreal in Hamilton - 150 Years"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

21. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of D. Vivien, agent for Copps Coliseum/H.E.C.F.I. (101 York Boulevard, Hamilton) to display a promotional banner across Main Street West in front of City Hall from 1992 September 28 to 1992 October 5 with the following message:

**"World Figure Skating Champions Victor Petrenko, Elizabeth Manley
Copps Coliseum November 14"**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

22. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments.

Acadia Drive	Parts 3 and 4	Plan 62R-10706
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Emperor Avenue	Part 5	Plan 62R-10706
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Harbottle Court	Block 13	Plan 62M-699
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Fano Drive	Block 31	Plan 62M-644
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- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

23. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments.

Fairington Crescent	Parts 1 and 3	Plan 62R-10638
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Artistic Boulevard	Block 11	Plan 62M-634
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- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

24. That the applications to retain inadvertent encroachments at the locations outlined on Appendix "A" attached hereto, be approved during the pleasure of City Council provided:

- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A", be set for the encroachments.
- 25.
- (a) That an Offer to Purchase, duly executed by the Purchaser Bell Canada (J. A. Edgar, Operations Manager, Real Estate) on 1992 August 28 and scheduled to close on or before 1992 November 23 for the lands described as part of Lot 15, Concession 8, in the former Township of Barton, being a parcel of land having a frontage of 20.72 metres (67.98 feet) more or less, along the southern limit of Stone Church Road West having a depth of 40.619 metres (133.264 feet) more or less, comprising an area of 839.68 square metres (9,038.53 square feet) more or less, shown as Part 2 and Part 3 on Plan 62R-11999, more particularly known as part of 49 Stone Church Road West. Part 2, Plan 62R-11999 will be subject to a right-of-way (for City access to Parts 4 and 5, Plan 62R-11999) in favour of the City of Hamilton, to be registered at the time of closing of this sale, be approved and completed and the funds derived from this sale of \$80,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - (b) That a deposit cheque in the amount of \$5,400. be held by the City Treasurer pending City Council approval.
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 26.
- (a) That the construction of an independent concrete sidewalk on the east side of Upper Sherman Avenue approximately 35 m north of Limeridge Road East to approximately 26 m northerly proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$6,200. as provided in the 1992 portion of the 1992 - 2001 Capital Budget with a City's share of \$4,102.40 and an Owner's share of \$2,097.60.
 - (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital project.
 - (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.

27.
 - (a) That the Chairman or his designate be authorized to attend the Air Waste Management Association Annual Fall Meeting 1992 October 4 to October 6, Orillia, Ontario.
 - (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
28.
 - (a) That the Chairman or his designate be authorized to attend the Environmental Solutions for Canadian Industry Conference, 1992 October 20 to October 22, Toronto, Ontario.
 - (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
29.
 - (a) That the Chairman or his designate be authorized to attend the Ontario Traffic Conference Workshop, 1992 October 25 to October 26, Cobourg, Ontario.
 - (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
30.
 - (a) That the Chairman or his designate be authorized to attend the Seventh Canadian Environmental Government Affairs Seminar, 1992 November 9 to November 10, Ottawa, Ontario
 - (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
31.
 - (a) That a 9.5 m by 14 m gravel parking area for five vehicles belonging to residents of 136 to 144 Cannon Street East be constructed on the east side of the north-south public assumed alley, approximately 47 m south of Cannon Street between Mary and Elgin Streets.
 - (b) That the item be referred to the Parks and Recreation Committee for consideration.

32.
 - (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to PPM Canada Inc. carrying out the proposed PCB destruction for J I Case at 450 Sherman Avenue North, Hamilton.
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment be waived so that the proposed work can be carried out as scheduled.
 - (c) That no specific permits are required for the proposed work.
33.
 - (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to PPM Canada Inc. carrying out the proposed PCB destruction for Union Drawn Steel Company Ltd., at 1350 Burlington Street East, Hamilton.
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment be waived so that the proposed work can be carried out as scheduled.
 - (c) That no specific permits are required for the proposed work.
34.
 - (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to PPM Canada Inc. carrying out the proposed PCB destruction for Hamilton Hydro-Electric System, 450 Nebo Road, Hamilton.
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment be waived so that the proposed work can be carried out as scheduled.
 - (c) That no specific permits are required for the proposed work.

35. (a) That the West Central Branch of the Ministry of the Environment be advised that the City of Hamilton has no objection to CleanSoils Limited establishing the proposed waste disposal (processing) site at Pier 26 - Hamilton Harbour East Port Development in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and the corresponding City Council resolution be submitted to the West Central Branch of the Ministry of the Environment for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: Alderman Copps. -1.

CARRIED.

36. (a) That the portion of Section 35 of the EIGHTH Report of the Transport and Environment Committee for 1992 adopted by City Council on 1992 July 28 which refers to the approval of engineering schedules for "CLAUDETTE GARDENS - PHASE 1", Hamilton, be deleted.
- (b) That the submitted schedule of works be adopted for inclusion in the subdivision agreement with the Owners for the estimated cost of services in:

"CLAUDETTE GARDENS PHASE 1", HAMILTON

City's Share - Nil

Owner's Share - \$190,768.88

- (c) That approval of the above-noted clause be subject to the condition that no work has commenced on the installation of services except as provided for in Section (d) below.
 - (d) That in the event the Owners wish to proceed prior to registration of the Final Plan of Subdivision and Subdivision Agreement they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for preservicing.
 - (e) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement with the Owners of "Claudette Gardens - Phase 1", Hamilton.
 - (f) That the City of Hamilton grant a 6.0 metre wide sewer easement to the Region over Part 5 as shown on the draft reference plan prepared by MacKay, MacKay and Peters Limited, Ontario Land Surveyors in order to provide for sewer installations over a portion of City-owned parklands in connection with "Rymal Square Estates - Phase 3" in the Butler Neighbourhood.
 - (g) That the Mayor and the City Clerk be authorized and directed to execute the necessary documents to transfer the required sewer easement from the City of Hamilton to the Region for sewers being installed under "Rymal Square Estates - Phase 3", Hamilton.
37. That Foremen in the Streets Division and the Parks Maintenance Section of the Public Works Department be authorized to utilize their trucks to drive between home and work on a daily basis at an annualized cost of approximately \$3,750., on the understanding and agreement that:
- (a) These Foremen will not receive payment for stand-by time during the summer months between April 15 and November 15; (an annualized cost of approximately \$121,500.)
 - (b) These Foremen will not be submitting requests for overtime payment for incidental time (est. 1 hour) on a daily basis for opening and closing the streets yards, interruptions occurring during lunches, etc. (an annualized cost of approximately \$179,100.)

- (c) This approval is on a one year trial basis and that the Director of Public Works report back to the Transport and Environment Committee on this issue in 1993 September.
38. (a) That the "Policy and Procedure - Processing Requests for Boulevard Parking and Driveway Approaches Affecting Trees on the Road Allowance" attached hereto as Appendix "B", be approved.
- (b) That the "Policy and Procedure - Processing Requests for Boulevard Parking and Driveway Approaches Affecting Trees on the Road Allowance" be forwarded to the Region and the Region be requested to consider adopting a similar program on regional roads within the City of Hamilton.
39. That the Regional Transportation Services Committee be requested to consider the elimination of overnight parking on Bay Street North from Barton Street to Sheaffer Street on a trial basis in the same way Regional Council approved a trial period for the elimination of overnight parking on Cannon Street.
40. That leave be granted to introduce the following Bills:
- (a) **Bill A-68** By-law to Incorporate Parts 3 and 4, Plan 62R-10706 into Acadia Drive
 - (b) **Bill A-69** By-law to Incorporate Part 5, Plan 62R-10706 into Emperor Avenue
 - (c) **Bill A-70** By-law to Incorporate Block 13, Plan 62M-699 into Harbottle Court
 - (d) **Bill A-71** By-law to Incorporate Block 31, Plan 62M-644 into Fano Drive
 - (e) **Bill A-72** By-law to Incorporate Parts 1 and 3, Plan 62R-10638 into Fairington Crescent

- (f) **Bill A-73** By-law to Incorporate Block 11, Plan 62M-634 into Artistic Boulevard
- (g) **Bill A-74** By-law to Authorize the Construction of Local Improvements without Petition under Section 12 of the Local Improvement Act of Roadway only on Beaverton Avenue from Upper Sherman Avenue to Acadia Drive
- (h) **Bill A-75** By-law to Authorize the Construction of Local Improvements of a Combined Sidewalk and Curb on the South Side of Carling Street from Macklin Street to approximately 98m easterly
- (i) **Bill A-76** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (j) **Bill A-77** By-law to Amend By-law No. 89-72 to Regulate Traffic
Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1992 September 21

1992 September 29

Appendix "A" as referred to in
Section 24 of the TENTH Report
of the Transport and Environment
Committee for 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
219 Walnut Street	A Frame Entrance to the Bldg. measuring 4.5' x 4.85'	James W. Scott Barrister and Solicitor 1030 Upper James Street Hamilton, Ontario L9C 6X6	\$112.00/20.00	T103-50(987)
51 Bristol Street	Wood Steps measuring 0.9'x 3.0'	Leggat, Keesmaat & Dixon Barristers & Solicitors 20 Hughson Street South Hamilton, Ontario L8N 3P6	\$112.00/20.00	T103-50 (1015)
280 Queen Street South	Steps measuring 3.0' X 0.73', encroaching on Stanley Ave.	G. W. Wark 26 Spruceside Avenue Hamilton, Ontario L8P 3T3	\$112.00/20.00	T103-50 (1017)
151 Ray Street North	Porch measuring 10.25' X 1.35'	J. Landeen 151 Ray Street North Hamilton, Ontario L8R 2Y3	\$112.00/20.00	T103-50 (1018)

Appendix "B" as referred to in
Section 38 of the TENTH Report
of the Transport and Environment
Committee for 1992

POLICY AND PROCEDURE -
PROCESSING REQUESTS FOR BOULEVARD PARKING
AND DRIVEWAY APPROACHES
AFFECTING TREES ON THE ROAD ALLOWANCE

1. The Traffic Department receives applications for driveway approaches and/or boulevard parking requests.
2. The Traffic Department investigates these various requests and follows predetermined procedures.
3. In cases where proposed driveways or boulevard parking spaces are situated such that they will conflict with existing City trees (by either the tree located on the proposed paved area or within the dripline of the tree), the Traffic Department notifies the Forestry Section of the Department of Public Works to assess the application prior to approving the application.
4. If it is determined that the tree can be removed, in accordance with By-Law 92___ the removal and replacement costs will be incorporated into the overall cost to be borne by the property owner.

If a tree is in good condition and the request will not effect the root system, the application is approve. Conversely, if a tree is in good condition and the request will effect the root system, it is denied. The Forestry Section then advises the property owner of the denial. This information is returned to the Traffic Department for appropriate action. If approved, the necessary follow-up is administered by the Traffic Department. Denials are filed for future reference.

If the tree is in a serious state of decline or a "prohibited species", as determined by the Horticulturist or his designate, the City will remove the tree only if the property owner pays 100 percent of the removal costs plus the cost of a large caliper replacement tree in accordance with By-Law 92_____.

If the property owner does not wish the replacement tree planted on his/her property, it will be planted elsewhere on the road allowance within the City.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1992 and respectfully recommends:

1.
 - (a) That approval be given to enter into a contract with Cardeen Construction Ltd. of Stoney Creek for construction of the Primary Services Corridor at Harbourfront Park. The contract amount will be \$315,696.17.
 - (b) That the amount of \$315,696.17 be funded from Account No. CF419254001 for Harbourfront Park.
 - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Cardeen Construction Ltd. of Stoney Creek.
 - (d) That the Mayor and the City Clerk execute the contract on behalf of the City.
2.
 - (a) That the existing contract awarded to Philip Enterprises Inc. of Hamilton in 1992 May in the amount of \$4,310,865.69 for the removal and disposal of hazardous soils from Harbourfront Park be amended to include rough grading, placement of the impervious clay cover and topsoil on the site within the original approved contract value.
 - (b) That the existing contract awarded to Golder Associates Ltd. in 1992 January in the amount of \$100,638. be extended by the amount of \$120,064.37 including taxes and a \$15,000. contingency amount for preparation of the design, construction and administration of the rough grading of the site and placement of the impervious clay cover at Harbourfront Park.
 - (c) That the existing contract awarded to F. J. Reinders and Associates Canada Ltd. in 1992 May in the amount of \$113,420. be extended by the amount of \$119,476. including taxes and a \$15,000. contingency amount for preparation of the design, construction and administration of the landscaping plan at Harbourfront Park.
 - (d) That the amount of \$269,540.37 for these contracts be funded from Account No. CF4192 54001 Harbourfront Park Remediation Account.

3. That permission be granted to hold an outdoor Art Camp "On The Edge" in King's Forest from 1992 October 2 to October 4 inclusive, subject to the following terms and conditions:
 - (a) That proof of \$2 million comprehensive general liability insurance for property damage and bodily injury naming the City as additional insured, be provided.
 - (b) That the applicant assume responsibility for all labour-related costs as a result of this event.
4. That the City of Hamilton participate in the International "Campbell Soup" Promotion Campaign in the WinterActive public skating and swimming events which will provide "Label Loonies" as admission to recreation facilities 1993 January 30 to February 13.
5. That this year's Winterfest be held from 1993 February 12 to February 14 within a format which provides for all ages and interests.
6.
 - (a) That representatives from the Parks Staff Advisory Committee be authorized to establish a joint Hamilton Region Conservation Authority/City/Region/Provincial staff committee to explore and make recommendations on an action plan respecting the funding of the Hamilton Beach - Breezeway Project through the sale of Hamilton Region Conservation Authority owned lands.
 - (b) That staff be authorized to prepare a capital budget submission for the planning and implementation of the Hamilton Beach - Breezeway Project for consideration in the 1993 - 1997 Capital Budget.
7. That the Mayor and City Clerk be authorized and directed to execute a Partial Release of Licence Agreement with Ontario Hydro in a form satisfactory to the City Solicitor for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth formerly in the Township of Barton, now in the City of Hamilton, being part of Lots 9 and 10, Concession 7 and having frontage along the northerly road allowance of Stone Church Road East of 25.312 metres (83.044 feet)

more or less, by a depth of 5.182 metres (17.00 feet) more or less, and comprising a total area of 132.00 square metres (1,420.882 square feet) more or less, and designated as Parts 1, 2, 3 and 4 on Registered Plan 62R-8872. Subject parcel has been conveyed to the Region for the widening of Stone Church Road East.

8. That a purchase order be issued to Weinmann Electric, Fort Erie, in the amount of \$50,114.52 for light fixture replacement at Ivor Wynne Stadium, being the lowest of six tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be funded through Light Safety Improvements Account No. CF5010 629254008.
9. That a purchase order be issued to Ark-Tech Contracting, Ancaster, in the amount of \$99,007.10 for lighting distribution upgrade at Chedoke Ski Hills No. 1 and No. 4, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be funded through Light Safety Improvements Account No. CF5010 629254008.
10. That the Director of Public Works be authorized to make application to the Dunington-Grubb Foundation for funding to undertake construction and installation of a main sign and entrance gateway at Gage Park as well as a secondary entrance gateway(s) and interior park signage.
11. That approval be given to the Director of Culture and Recreation to apply to the Hamilton Foundation for a grant of up to \$3,000. for conservation of the Hamilton Military Museum Photograph Collection.
12. That the Director of Culture and Recreation be authorized to apply for an internship programme for the Hamilton Children's Museum through the Ministry of Culture and Communications.
13. That approval be given to the Director of Culture and Recreation to re-apply for a capital assistance grant of up to \$124,878. under the Cultural Initiatives Program provided by Communications Canada for emergency restoration work to the Cockpit Building at Dundurn Castle.
14. That the Terms of Reference for the Programming Plan Study for the Hamilton Children's Museum attached hereto as Appendix "A" dated 1992 September, be approved.

15. That the By-laws attached hereto as Appendix "B", dated 1992 September 9, for the Hamilton Children's Museum, be approved.
16. That approval be given to the Director of Culture and Recreation to apply to the Employment and Immigration Canada Section 25 Job Creation Grant for four (4) crew members for 52 weeks to continue archaeology field work at Dundurn Castle.
17. That the Parkdale, Rosedale and Scott Park Recreation House League members of the Hamilton Minor Hockey Council be authorized to acquire an acceptable \$2 million, Participant Accident and League Liability Insurance Program which names the City of Hamilton as co-insured.
18.
 - (a) That the payment schedule for the Hamilton Redbirds which was approved by City Council on 1992 June 30 be amended to exclude the September and October instalments since these security payments are no longer required by the City of Hamilton.
 - (b) That a refund of any overpayments or any supplemental billings applicable to the 1992 rental and concession fees for the use of Bernie Arbour Stadium be made to the Hamilton Redbirds upon receipt of the financial statements for the operation of concessions as required under the terms of the agreement.
19.
 - (a) That the Beasley Park Development Plan approved by City Council at its meeting held 1991 August 27, be amended to allow a 9.5 m by 14 m gravel parking area on the east side of the north-south public assumed alley, approximately 47 m south of Cannon Street between Mary and Elgin Streets.
 - (b) That the City Parks By-law No. 89-74 be amended accordingly.
 - (c) That the Planning and Development Committee be requested to initiate the modification of zoning at Beasley Park to allow residential parking with the Park.
20. That Regional Council be invited to authorize its appropriate staff to make arrangements with the City of Hamilton to allow Regional employees to participate in a payroll deduction plan to purchase memberships for either of the two civic golf courses.
21.
 - (a) That the Planning and Development Committee be requested to abandon the City Initiated rezoning of the William Connell Park to permit use of this property for a major baseball facility and associated uses, and
 - (b) That the Property Department continue negotiations with the Hamilton Board of Education for the exchange of lands of equal size as per the direction of City Council on 1991 July 30.

- (c) That the Park's Division, Public Works Department prepare a capital budget submission to provide for preparation of a Development Plan for William Connell Park, said plan to capitalize on the natural features of the property including existing tree cover, ground vegetation topography, and ponds and to reflect the growing demand for passive green space.

- 22. That Section 8 of the Eleventh Report for 1991 of the Parks and Recreation Committee adopted by City Council on 1991 May 14 respecting a Zoning change at Mohawk Sports Park and Bernie Arbour Stadium, "to allow any approved user to obtain a stadium licence to sell beer at the Bernie Arbour Stadium", be rescinded.
ADDED AND CARRIED.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1992 September 22

1992 September 29

Appendix "A" as referred to in
Section 14 of the SEVENTEENTH Report
of the Parks and Recreation
Committee for 1992

**PROGRAMMING PLAN STUDY
FOR THE
HAMILTON CHILDREN'S MUSEUM**

TERMS OF REFERENCE

HAMILTON CHILDREN'S MUSEUM

1992 SEPTEMBER 15

Programme Plan Study

1.0 GENERAL INTRODUCTION

1.1 Introduction

The Cultural Services Division of the Department of Culture and Recreation of the City of Hamilton invites qualified consultants to develop a programming plan for an expanded Hamilton Children's Museum.

The Purpose of the study is to:

- describe visitor groups most likely to attend the museum;
- define the museum visit and learning needs for each visitor group;
- make recommendations on how the museum will address these needs (using some or all of the following components or methods of delivery: permanent and temporary exhibits, hands-on activities; tours; public and special programmes; computer/audio and video presentations; performances; extension services and any other media deemed appropriate);
- make recommendations on staffing, operating budgets, equipment, space requirements and implementation schedules;
- make recommendations on the relationship between the programming study and other aspects of the museum function (i.e. collections, research and activities of the museum).

The final report of the study will contribute to the development plan for a new expanded site. It will guide architectural planning as well as staffing and budget forecasts.

1.2 Cultural Services, Department of Culture and Recreation

The Department of Culture and Recreation is dedicated to contributing to the quality of life for the citizens of, and visitors to, the City of Hamilton, through the operation of recreational and cultural facilities (i.e. museums and historic sites), and through a variety of public and educational programmes and events.

The Cultural Services Division oversees the operation of the museums. In matters of policy the Division receives guidance from the Hamilton Historical Board, which is composed of 13 interested citizens appointed by the City, and 2 members of City Council.

The City's museums comprise four historical museums (Whitehern Historical House, Dundurn Castle, the Hamilton Military Museum and the Hamilton Museum of Steam and Technology) which preserve and interpret various themes of the history of Hamilton, and the Hamilton Children's Museum which offers a hands-on participatory programme where

children are empowered to learning through discovery of interactive experiences. In 1990, the City's museums had over 130,000 visitors.

Staff of the Hamilton Children's Museum include employees of the Corporation of the City of Hamilton; grant staff and volunteers. Non-grant and non-management staff are members of the Canadian Union of Public Employees.

1.3 A Short History of the Site

The Hamilton Children's Museum was established in 1978 as a pilot project in honour of the International Year of the Child.

The founders of Canada's first civic children's museum were guided by the example of the Boston Children's Museum, (as a pioneer hands-on learning institution) which first opened its doors at the turn of the century.

Armed with their ideals, this committed group of citizens secured the historic Gage House for the pilot project. In 1977 it was estimated that the building would serve a maximum attendance of 7,000 visitors per year as a full time operation. Still located in the same structure, the museum has never served less than 20,000 visitors per year. The typical attendance has varied between 28,000 and 34,000 visitors over the years.

While the Children's Museum has exceeded predictions for its audience, there has been no significant expansion, upgrading or re-organization of the facility.

1.4 Current Hamilton Children's Operation

Since 1978, the Statement of Purpose for the museum has altered little and continues to expand its unique function as a discovery-learning facility intended to serve the needs of Hamilton's Children as reflected in its opening paragraph:

to encourage children of all ages to discover, through a participatory experience, a sensory awareness of the world around us; a knowledge of all aspects of our local area, past, present and future; and an understanding of childhood through the ages.

It is anticipated that the existing Statement of Purpose will undergo revision as part of the development process but its basic intent will remain the same. The museum also has written policies covering admission, education, volunteer and collections management issues.

The museum continues to operate as it always has, offering a rotating schedule of interactive, curriculum-based, "teaching" exhibits for children between two and thirteen years of age.

The museum is accessible to both general public and booked groups year-round. Due to building limitations, however, the museum is closed for several weeks during exhibit change. Each exhibit uses the whole of the public area of the museum. Since each exhibit examines a different subject and theme, the museum, in essence, "re-events itself" several times per year.

The museum offers numerous special events throughout the year despite a shortage of space and facilities.

Collections Management remains an issue at the museum as it does for similar institutions throughout the world. Rather than exhibits being driven by the collection, as is typical of many museums, only those articles which relate to upcoming exhibit themes are collected. Therefore the collection is programme-driven. Also due to the interactive nature of the exhibits and widely varying subject matter, a large part of the collection is eclectic and contemporary in nature.

The proposed expansion and re-development of the museum is on the list of the Corporation of the City of Hamilton's Capital Expenditures Schedule.

1.5 Restrictions on Operation

The current facility's square footage of 2,000 square feet poses severe limitations on the functioning of the museum in the following areas:

- the museum must turn away roughly one-third of its audience, both general public and booked groups. Refusing admission to interested visitors generates negative public relations;
- the museum cannot offer permanent exhibits because such a small area necessitates narrowly focused exhibits;
- there is no indoor space for public programming other than the exhibit floor;
- large scale displays (e.g. dinosaurs) cannot be accommodated;
- inadequate storage space for collections limits the museum's ability to collect;
- there is no space for gift shops, lunch rooms, or other amenities.

The internal structure of a former farmhouse creates its own set of difficulties in the following areas:

- low ceilings rule out large scale displays;
- the original wood frame construction poses fire and occupancy restrictions;
- the electrical system was not designed for institutional needs;
- each individual room is relatively small, greatly restricting the range of possible uses;
- all of the entrance ways are small, limiting the movement of materials and the design of exhibits;

- the existing structure rules out standard environmental controls without large scale alterations.

The location of the museum is currently one of its major strengths. The park like setting, relatively central location and informal atmosphere contribute to the success of the operation. Nevertheless, the location is not without its shortcomings:

- visibility from the road is generally poor;
- the museum has no property of its own (the park is controlled by the Parks Department), limiting the museum's ability to plan and operate outdoor programming;
- parking is severely restricted.

1.6 Proposed New Museum

1.6.1 Planning and discussion surrounding an expanded Children's Museum facility has been carried on for some years. In 1990, a long range development plan for the museum was prepared. This document, which will be available to consultants, highlighted that the current facility was inadequate to meet the current and future needs of its users. It made a number of recommendations regarding a new facility, including:

- expanding to a substantially larger (perhaps at least 20,000 sq. ft.) facility;
- seeking a more central and accessible location;
- ensuring that a new facility would be completely accessible to all potential visitors;
- developing an active collections management programme including the acquisition of both capital and cultural items;
- expanding the programming activities of the museum to include permanent and temporary exhibits, expanded school programming and public programming of various kinds; and
- a renewed commitment to hands-on discovery learning for children.

1.6.2 As a follow-up to the 1990 study, a document was developed which made recommendations on collection management at an expanded Children's Museum. This study recommended that:

- the museum develop education/programme collections; permanent collections; and inventoried collections;
- the collecting process be linked to its educational and institutional mandate and the specific themes addressed in new permanent and temporary exhibit galleries.

1.6.3 Further to the two studies described above, the Hamilton Historical Board has established criteria and initiated a process which will lead to the selection of a new location, site and/or new facility for the Hamilton Children's Museum.

1.6.4 In the event that a new location/site/facility is not known during the present study period, the priorities and criteria will be made available to the consultant.

2.0 PROGRAMME PLAN REQUIREMENTS

2.1 Introduction

2.1.1 The consultant shall complete, or have completed on the City's behalf, the tasks described in Section 2 in a professionally competent manner using appropriate methodologies, and where appropriate, supporting documentation.

2.1.2 The tasks described in Section 2 are intended to guide the work of the consultant. Any changes to the tasks must reflect the expressed mutual agreement of the consultant and the study team.

2.2 General Tasks

2.2.1 In consultation with the Children's Museum staff, the consultant shall review relevant earlier studies (and staff comments on these studies) provided by the Study Team.

2.2.2 Drawing upon the work of the previous reports, the consultant will define the museum visit and learning needs of each of the major visitor groups. These groups have been identified in the 1990 Long Range Development Plan which will be available to the consultant.

The consultant shall provide recommendations on:

- goals, aims, and objectives for programming at the expanded museum facility;
- a general concept plan for the museum as a whole;
- the main components of the programming plan (including without being necessarily limited to school programming, temporary and permanent exhibits; public programming).

2.2.3 The consultant shall prepare:

- an interim report which will include reports and recommendations for tasks 2.2.2, 2.2.3, 2.3.1, 2.2.2, 2.4.1, 1.5.1, 2.6.1 and preliminary recommendations for all other tasks for submission to the study team (to consist of staff and public representatives);

- a draft final report based on comments received from the study team and others which will include recommendations for all tasks (Section 2); and
- a final report for approval by the study team, the Hamilton Historical Board and Parks and Recreation Committee and City Council based on comments received from the staff steering committee.

2.2.4 The consultant will provide a public presentation of the results of the final report to the Hamilton Historical Board.

2.3 Exhibits

2.3.1 The consultant will provide recommendations on:

- the appropriateness and feasibility of a permanent exhibit programme to an overall programme plan.

2.3.2 If the consultant deems that a permanent exhibit programme is appropriate and feasible, the consultant shall provide recommendations on:

- the number of permanent galleries in the new expanded museum;
- the subject area and main theme of each permanent exhibit;
- the aims and objectives of each permanent exhibit and the relationship to the museum's statement of purpose;
- the principle exhibit components of each permanent exhibit;
- a concept plan for each permanent exhibit, where possible
- the equipment and space requirements for each permanent exhibit;
- the exhibit development process including the use of staff committees, decision-making and authority, outside consultants, scheduling etc.;
- a staffing plan for the exhibit programme;
- preliminary cost estimates for each permanent exhibit; and
- implications for operating and staff budgets for a permanent gallery programme.

2.3.3 The consultant will provide recommendations on:

- the appropriateness and feasibility of a temporary exhibit programme to an overall programme plan.

2.3.4 If the consultant deems that a temporary exhibit programme is appropriate and feasible, the consultant will provide recommendations on:

- the number of temporary exhibits per year;
- subject areas and main themes for possible temporary exhibits and the relationship to the museum's statement of purpose;

- possible relationships with permanent exhibits
- equipment and space requirements for temporary gallery or galleries;
- the exhibit development process including the use of staff committees, decision-making and authority, outside consultants, scheduling etc.;
- a staffing plan for the exhibit programme;
- implications for operating and staff budgets of a temporary exhibit programme;
- the feasibility of combining temporary and permanent galleries.

2.4 School Programming

2.4.1 The consultant will provide recommendations on:

- the appropriateness and feasibility of school programming to the programme plan.

2.4.2 If the consultant deems that a temporary exhibit programme is appropriate and feasible, the consultant will provide recommendations on:

- the type and range of school programming at the expanded museum facility (which may include without being limited to self-guided or teacher guided programmes, staff guided programmes, conducted tours, discovery or self directed learning, outreach and extension services etc.);
- the aims and objectives of school programming and the relationship to the museum's statement of purpose;
- the relationship to child learning needs and local school board and Ontario Ministry of Education curricula;
- subject areas and main themes for school programming;
- possible relationships with permanent exhibits;
- the programme development process including the use of staff committees, outside consultants, scheduling etc.;
- a staffing plan for the programme;
- equipment and space requirements for school programming;
- implications for operating and staff budgets of school programming.

2.5 Other Public Programmes

2.5.1 The consultant will provide recommendations on:

- the appropriateness and feasibility of other public programmes (which may include without being limited to components such as special events, birthday parties, guided or self guided tours, bus tour programmes, day camp or community group programming, guide books; extension services, outreach

programmes, lecture series, after school or weekend clubs etc.) to the overall programme plan.

2.5.2 If the consultant deems that other public programmes are appropriate and feasible, the consultant will provide recommendations on:

- the type and range of public programming at the expanded museum facility;
- the aims and objectives of each component of the public programme and the relationship to the museums's statement of purpose;
- subject areas and main themes for each component;
- potential relationships with permanent or temporary exhibits;
- the programme development process including the use of staff committees, outside consultants, scheduling etc.;
- a staffing plan for the programme;
- equipment and space requirements for public programming;
- implications for operating and staff budgets of public programming.

2.6 Outdoor Programmes

2.6.1 The consultant shall provide recommendations on:

- the appropriateness and feasibility of outdoor programming (which may include without being limited to components such as special events, birthday parties, guided or self guided programming, camp or community group programming, guide books, outdoor play area) to an overall programme plan.

2.6.2 If the consultant deems that outdoor programming is appropriate and feasible, the consultant shall provide recommendations on:

- the type and range of outdoor programmes at the expanded museum facility;
- the aims and objectives of outdoor programming and the relationship to the museum's statement of purpose;
- subject areas and main themes for outdoor programming;
- potential relationships with permanent or temporary exhibits;
- equipment and space requirements for outdoor programming;
- the programme development process including the use of staff committees, outside consultants, scheduling etc.;
- a staffing plan for the programme;
- implications for operating and staff budgets of outdoor programming.

2.7 Implications for Other Museum Functions

2.7.1 The consultant shall provide recommendations on the implications for each component of the programme plan on other aspects of the museum operation, specifically:

- conservation;
- collections, management (including acquisition; documentation; deaccessioning);
- the use of artifacts in programming;
- research
- volunteer programmes;
- marketing and promotion
- support services (e.g. theatre, laboratory, sinks, etc.)

2.8 Implementation

2.8.1 The consultant shall provide recommendations on preliminary implementation schedules for each of the programming plan components in relation to other aspects of the development of an expanded museum facility.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTEENTH** Report for 1992 and respectfully recommends:

1. That the 1992 Schedule of Payments for the International Village Business Improvement Area be amended as follows:

February 01	\$ 9,893.33
April 01	\$ 9,893.33
June 01	\$ 9,893.33
August 01	\$ 9,893.33
October 01	\$19,786.67

2. That the City of Hamilton accept the sum of \$93,750 as cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates - Phase 3, Hamilton, located between Upper Wentworth Street and Upper Sherman Avenue in the Butler Neighbourhood, being the cash payment required under Section 51 of the Planning Act.
3.
 - (a) That the City of Hamilton accept the sum of \$24,690 as cash payment in lieu of the 5% land dedication in connection with "Primecan Estates", located on the west side of Upper Wellington Street and on the south side of the proposed east/west portion of the Red Hill Expressway, in the Jerome Planning Neighbourhood.
 - (b) That the City of Hamilton accept the sum of \$30,160 as cash payment in lieu of the 5% land dedication in connection with "Paradise Gate Estates - Phase 1", located on the north side of Rymal Road West, east of Upper Paradise Road, in the Falkirk East Planning Neighbourhood, Hamilton, this being the cash payment required under Section 50 of the Planning Act.
 - (c) That the City of Hamilton accept the sum of \$28,500 as cash payment in lieu of the 5% parkland dedication in connection with "The Gardens of Rymal Phase 3", and the sum of \$30,708 as cash payment in lieu of the 5% parkland dedication in connection with "The Gardens of Rymal - Phase 4", both located on the west side of Upper Wentworth Street, south of Rymal Road East, in the Chappel West Planning Neighbourhood, Hamilton, these being cash payments required under Section 50 of the Planning Act.

4. (a) That the Building Commissioner be authorized and directed to collect a new administrative charge being a \$120 fee for requesting 48-hour express service to obtain a Zoning Verification/Property Report;
- (b) That Building staff be directed to report back on this in 6 months, and;
- (c) That Building staff prepare a report on the feasibility of charging differential fees for residential and commercial applications.

5. That the Building Department, Loans Division, be authorized to process the following grant/loan(s) for:

- (a) Victor & Gladys Woodfine - 4 Hilton Street
- (b) Frances & Walter Somers - 529 Roxborough Avenue

in the amounts not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Department Act for the Ontario Home Renewal Programme.

6. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 330 Charlton Avenue West
 - (b) 322 Charlton Avenue West
 - (c) 493 Burlington Street East
 - (d) 1134 Upper Wentworth Street
 - (e) 1086 Upper James Street
 - (f) 1170 Garth Street
 - (g) 261-263 Wellington Street North

7. (a) That the Residential Underground Parking Study, as per the attached Study Proposal, attached hereto as Appendix "A", be undertaken; and,
- (b) That the Planning and Development Department be authorized to hire Lynda Morris, Urban Safety Consultant, to undertake the study, at a cost not to exceed \$15,000.

8. A. That the Hamilton Harbour Commissioners be requested to revise the wording of the following draft Mission Statement:

"The Hamilton Harbour Commissioners is a vital part of Canada's national transportation system. Our Mission is to provide leadership in the regulation, operation and development of the Port of Hamilton.

We are responsive to the needs of our customers and the public when regulating navigation and use of the Harbour; in the shipping of cargo; by developing commercial, industrial and recreational uses; and by contributing to the economic well-being of Canada and our surrounding market area, while doing so on a financially self-supporting basis.

We provide reliable service of high quality. Our customers, employees and all public and private organizations are treated with honesty, flexibility and fairness. We work within the community and with other agencies to improve the Port of Hamilton and protect its natural environment.

to more clearly reflect their membership with the City of Hamilton by adding "which relate primarily to bona fide shipping and navigation and subject to the City of Hamilton's regulations for those lands which do not relate primarily to shipping and navigation."

- B. That the City Clerk be directed to forward this report to the Hamilton Harbour Commissioners.
- 9.
- (a) That the general proposals put forward by the Minister's Advisory Committee on New Heritage Legislation be strongly supported, particularly in respect to the strengthening and streamlining of the designation process for heritage properties under the Ontario Heritage Act;
 - (b) That the two new proposals for the designation process, specifically the priority rating (suggested wording instead of grading requirement) for heritage properties and the possibility of compensation to be paid to the owner of a designated property under special conditions not be supported;
 - (c) That the proposed recommendations respecting the expansion of the legislative mandate to include movable heritage, intangible heritage, and heritage facilities be referred to the appropriate municipal Departments and Committees, such as the Hamilton Historical Board, the Department of Culture and Recreation, the Hamilton Library, the Hamilton Art Gallery, etc. for comment;
 - (d) That the additional incentives for heritage conservation found in the Ministry's previous review in 1990 entitled "Proposals for Legislation", be supported in the present proposal;
 - (e) That the Minister's Advisory Committee on New Heritage Legislation be advised of LACAC's request to have an opportunity to comment further on the policy before it is submitted for final approval; and, when available, on the draft Regulations which will be crucial to the successful implementation of the new heritage legislation.

- (f) That a letter be sent to the Minister's Advisory Committee on New Heritage Legislation advising them of the aforementioned recommendations with a copy being sent to the Association of Municipalities of Ontario.
10. That approval be given to City Initiative 92-C Regional Municipality of Hamilton Wentworth, owner, for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, modified, to permit development of the subject lands (Block "3" on Appendix "C") in conjunction with the abutting lands to the west (Block "2" on Appendix "C"), which are to be developed for townhouses and/or multiple dwellings (stacked townhouses), for part of property municipally known as 240 Rymal Road East, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
 - (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That Section 10E(2)(a)3. of Zoning By-law No. 6593 shall not apply to the land fronting onto Rymal Road East or Upper Wellington Street.
 - (c) That Schedule "A" of By-law 92-211 be amended by adding the subject lands to Block "2";
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1278a, and that the subject lands on Zoning District Maps E-9D and E-18E be notated S-1278a;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9D and E-18E for presentation to City Council;
 - (f) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area;
 - (g) That the Allison Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to "Low Density Apartments".

11. That approval be given to Zoning Application 92-20, David K. Lord and Eileen R. Booty, owners, for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, to permit the creation of separate lots for the existing two-family dwelling at 173 Bold Street (Block "1"), and the existing semi-detached dwelling at 20 Wheeler Place (Block "2"), as shown on the attached map marked as Appendix "C", on the following basis:
 - (a) That the "E" (Multiple Dwellings, Lodges Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 11(1) of Zoning By-law No. 6593, only a two-family dwelling shall be permitted within the building existing at the date of passing of this By-law;
 - (ii) That notwithstanding Section 11(3) of Zoning By-law No. 6593, the yards existing at the date of passing of this by-law shall apply to the existing two-family dwelling;
 - (iii) That notwithstanding Section 11(4) of Zoning By-law No. 6593, a lot width of at least 7.53 m and a lot area of at least 204.45 m² shall be required;
 - (iv) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a minimum of two parking spaces shall be provided and maintained on the lot within the required front yard for the existing two-family dwelling;
 - (v) That Section 18A(9) of Zoning By-law No. 6593 shall not apply.
 - (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 4.(3)(b) of Zoning By-law No. 6593, one half of a semi-detached, two family dwelling shall be permitted to front onto a public highway (Wheeler Place) having a width of at least 3.66 m;
 - (ii) That notwithstanding Section 11(1) of Zoning By-law No. 6593, only one half of a semi-detached two-family dwelling shall be permitted;
 - (iii) That notwithstanding Section 11(3) of Zoning By-law No. 6593, the yards existing at the date of passing of this By-law shall apply to the existing one half of a semi-detached two family dwelling;

- (iv) That notwithstanding Section 11(4) of Zoning By-law No. 6593, a lot width of at least 7.33 m and a lot area of at least 163.30 m² shall be required;
 - (v) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a minimum of one parking space shall be provided and maintained on the lot.
 - (vi) That Section 18A(9) of Zoning By-law No. 6593 shall not apply.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1286, and that the subject lands on Zoning District Map W-5 be notated S-1286;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
 - (e) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
12. That approval be given to Zoning Application 92-27, 483466 Ontario Limited (Jerome Calzonetti), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District, to permit townhouses on property located at 829 Rymal Road East, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District;
 - (b) That the "RT-20" (Townhouse - Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10E(7)(a)(i), a maximum of seven (7) townhouse dwelling units shall be permitted.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law 6593 as Schedule S-1287, and the subject lands on Zoning District Map E-38D be notated S-1287;
 - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, and Zoning District Map E-38D for presentation to City Council;

- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (f) That the Eleanor Neighbourhood Plan be amended by redesignating the subject lands from "Single & Double Residential" to "Attached Housing".
13. (a) That the Janet Court walkway, as shown on the attached map marked as Appendix "E", be deleted from the Kentley Neighbourhood Plan, and;
- (b) That the request for closure of the walkway be forwarded to the Transport and Environment Committee.
14. A. That the approved Carpenter Neighbourhood Plan, as shown on the attached map marked as Appendix "F", be amended by:
- (a) shifting the extension of Upper Paradise Road 54 metres to the east and associated interior road alignments; and,
 - (b) designating the lands previously designed for the road for "Single and Double" housing.
- B. That approval be given to the revised Subdivision Application 25T-92002, Brusan Developments, owner, to establish a draft plan of subdivision in the area south of Rymal Road West and east of the City limits, as shown on the attached map marked as Appendix "G", subject to the following conditions:
- (a) That approval apply to the revised plan prepared by Planning Initiatives Ltd. dated May, 1992, showing 238 lots and various blocks, revised in red as follows:
 - (i) to provide a 9m sewer easement from Street G to the east limit of the subdivision lands;
 - (ii) to provide a walkway between Lots 101 and 102 (Block 257);
 - (iii) to delete certain reserve blocks and to re-number the remaining blocks;
 - (iv) to provide 2 m x 2 m daylighting triangles at the corner of Lots 86, 143 and 203;
 - (v) to provide 9 m radius transitional curves at the beginning and end of all street bulbs;

- (vi) to provide street widening adjacent to Rymal Road West to 18.0 m from the centreline (Blocks 255 and 256);
 - (vii) to provide an angle on Street C of less than 120 degrees and a centreline radius of the roadway of 30 m or less;
 - (viii) to provide a block of land shown as 3 m on the north east corner of Lot 13 and 2 m on the south east corner of Lot 13 for roadway purposes;
 - (ix) to provide a 5 m by 5 m daylight triangles at Lots 8 and 177;
 - (x) to realign Upper Paradise Road to reflect the road pattern in the approved Carpenter Neighbourhood Plan and the Blocks and Lots be revised accordingly.
-
- (b) That the final plan not be approved until such time as municipal sewers, water and adequate road access are available to service the lands.
 - (c) That the streets and walkway be dedicated to the City of Hamilton as public highways and public walkway in the final plan.
 - (d) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (e) That the final plan conform to the Official Plan and Zoning By-law approved under the Planning Act.
 - (f) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (g) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and total area of the subdivision in the final plan.
 - (h) That the owner convey Block 239 to the City of Hamilton for park purposes.
 - (i) That Blocks 240 to 248, inclusive, be developed only in conjunction with abutting lands.

- (j) That any dead-ends or open sides of the road allowances created by the final plan be terminated in 0.3 reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 - (k) That the owner satisfy the concerns of the Regional Roads Department with respect to access to Rymal Road West.
 - (l) That the City of Hamilton acquire all the lands necessary for the extension of existing Upper Paradise Road, south of Rymal Road West to provide a street connection to this subdivision and these lands be established and contracted as a public highway.
 - (m) That the owner shall erect a sign in accordance with Section XI of the subsequent subdivision agreement, prior to the issuance of a final release by the City of Hamilton.
 - (n) That the owner agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- C. That the subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application, (25T-922002), Brusan Development Corporation, owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- D. That the Commissioner of Planning and Development for the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.
15. That approval be given to Zoning Application 92-09, Hope Haven Homes Family Rehabilitation Centre, Owner, for a further modification to the existing "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit two emergency shelter bed units with the existing counselling rooms, in conjunction with the Rehabilitation Centre at 984 Montclair Avenue, on property located at 992 Montclair Avenue, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That the "D" (Urban Protected Residential, One and Two-Family Dwelling, Townhouses, etc.) District regulations, as set out under Section 10 of Zoning By-law No. 6593, as amended by By-law No. 89-336, applicable to the subject lands, be further modified to include the following variances as a special requirements:

- (i) That Clause (b) of Section 1 of By-law No. 89-336 be deleted and the following new Clause be substituted therefore:
 - "b) That notwithstanding Section 10(1)(i) of By-law No. 6593, a residential care facility for the accommodation of not more than two (2) residents for Hope Haven Homes shall be permitted;"
 - (ii) That the following new Clauses be added to Section 1 of By-law No. 89-336:
 - "c) That Section 10(6) shall not apply;
 - d) That notwithstanding Section 10(4)(i), a lot width of 10.16 m and a lot area of 286.0 m² shall be permitted; and,
 - e) That Section 18A shall not apply."
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-1138a, and that the subject lands on Zoning District Map E-45 be notated S-1138a;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-45 for presentation to City Council; and,
 - (d) That the proposed modifications in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
16. (a) That the Chairperson or his designate be authorized to attend a workshop to take place on 1993 March 8 to 12 in Charleston, South Carolina; and,
- (b) That cost for attendance be allocated to Alderman Travel Account No. CH55201-10010 from the 1993 operating budget.
17. That the demolition permit for 590 Stone Church Road East be issued on the condition that the applicant for the permit construct and substantially complete a new single family dwelling on the subject property by not later than two years from the date of the issuance of the demolition permit. As a further condition, upon failure to complete the new building within the two year period, the City Clerk shall be entitled to enter on the collector's roll to be collected in the like manner of municipal taxes the sum of \$20,000 and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential building was issued.

18. That leave be granted to introduce the following Bills:

- (a) Bill C-92 A By-law to adopt Official Plan Amendment No. 114 respecting lands located in the East Mountain Industrial-Business Park, located south of the East-West portion of the Red Hill Creek Expressway, east of Upper Ottawa Street and north and west of the Hamilton City Limits and lands known municipally as 467 Charlton Avenue East, located within the Corktown Neighbourhood
- (b) Bill C-93 A By-law to adopt Official Plan Amendment No. 115 respecting lands located on the west side of Upper James Street, between Wembley Road and South Bend Road, municipally known as Nos. 674 to 712 Upper James Street, within the Bonnington Neighbourhood
- (c) Bill C-94 A By-law to adopt Official Plan Amendment No. 116 respecting lands located at the south-east corner of Stone Church Road East and Upper Wentworth Street, within the Butler Neighbourhood
- (d) Bill C-95 A By-law to adopt Official Plan Amendment No. 117 respecting lands located at Municipal No. 1630 Upper Gage Avenue, within the Eleanor Neighbourhood
- (e) Bill C-96 A By-law to repeal By-law No. 91-170 to adopt Official Plan Amendment No. 101 respecting land located at Municipal No. 674 Upper James Street within the Bonnington Neighbourhood
- (f) Bill C-97 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 80-063 and to repeal Zoning By-law No. 69-264 respecting land located at Municipal No. 2371 Barton Street East
- (g) Bill C-98 A By-law to designate land located at Municipal No. 16 West Avenue South as property of Historic and Architectural Value and Interest
- (h) Bill C-99 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 235 to 265 Dartnall Road
- (i) Bill C-100 A By-law to amend Zoning By-law No. 6593 respecting townhouses and maisonettes

- (j) Bill C-101 A By-law to amend Zoning By-law No. 6593 respecting land located at the south-east corner of Stone Church Road East and Upper Wentworth Street
- (k) Bill C-102 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 1630 Upper Gage Avenue and 867 Rymal Road East
- (l) Bill C-103 A By-law to amend Zoning By-law No. 6593 and to repeal By-laws No. 87-68, 87-221, 87-222, 90-304, 90-312, 90-313, 90-305, 90-314 and 90-315 respecting lands located on the west side of Upper James Street between Wembley and South Bend Roads (Nos. 676 to 712 Upper James Street)
- (m) Bill C-104 A By-law to establish Site Plan Control respecting lands located on the west side of Upper James Street between Wembley and South Bend Roads (Nos. 676 to 712 Upper James Street)
- (n) Bill C-105 A By-law to amend Zoning By-law No. 6593 as amended by By-laws No. 74-151, 83-228 and 85-89 respecting the "M" (Prestige Industrial) Districts
- (o) Bill C-106 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 55 Lancing Drive

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 September 23

RESIDENTIAL UNDERGROUND PARKING STUDY

1992 September 29

PRELIMINARY METHODOLOGY

Appendix "A" referred
in Section 7(a) of the
Sixteenth Report of the
Planning and Development
Committee for 1992

1) DETAILED STUDY DESIGN

- a) Refine Overall Study Design
- b) Design Safety Audits
- c) Identify Stakeholder Representatives

2) BACKGROUND INFORMATION

- a) Contact Other Municipalities
- b) Review Relevant Literature
- c) Review Existing Policies and By-Laws
- d) Review Relevant Articles in Press Archives
- e) Contact Police and Sexual Assault Centre

3) STAKEHOLDER GROUP INPUT

- a) Establish Stakeholder Group
- b) Provide Background Information for Meetings
- c) Hold Meetings / Brainstorming Sessions with Stakeholders
(approximately three to five meetings)

4) SITE VISITS AND SAFETY AUDITS

- a) Conduct Safety Audits of Residential Parking Garages
(approximately four to six)
- b) Visit Parking Authority Garages
- c) Visit Assault Locations with Police

5) ANALYSIS AND REVIEW

- a) Document and Review Findings
- b) Formulation of Draft Policies
- c) Review and Revision with Planning Dept. Staff

6) PUBLIC MEETING AND FINAL REPORT

- a) Seek Authorization for Public Meeting
- b) Public Meeting Presentation; Submission Review
- c) Final Revisions to Policies
- d) Report to Planning and Development Committee
For Consideration of Policies/Guidelines
- e) Implementation of Report - Site Plan Stage

Budget

Estimated Time Required:	220 hours @ \$55	\$12,375
Estimated Disbursements:		2, 511
Fee and Disbursements:		\$ 14,886
Recommended Funding		\$ 15,000

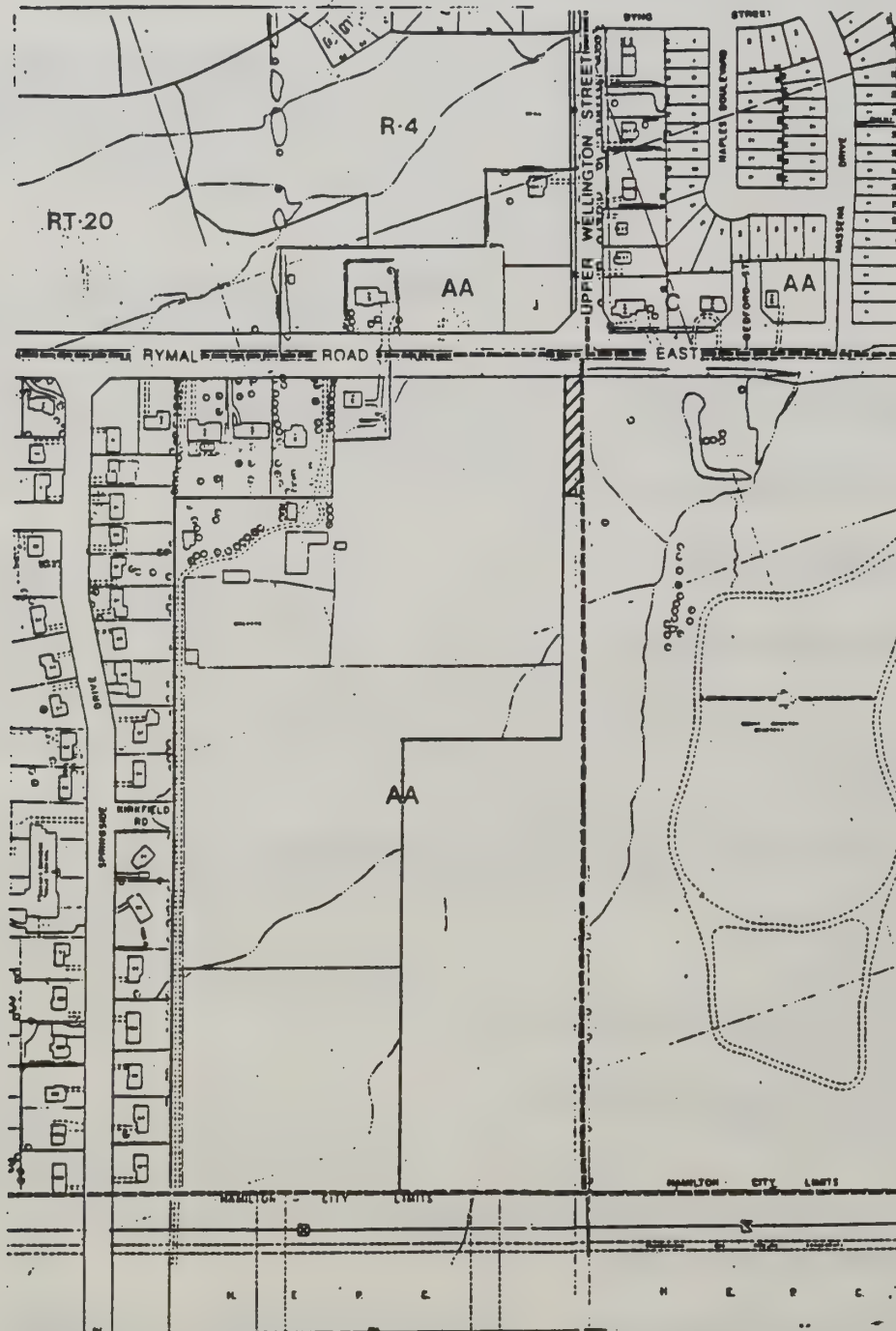
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Disbursements:

Photocopying	245 +36 +100	380
Transportation and parking for 35 audit participants:		150
Flashlights		60
Resource Materials		350
Public Meeting		
Refreshments-tea/coffee/juice		60
Babysitter		50
Sign Language Interpreters		150
Long Distance Calls		200
Parking		75
Bus Fare to Toronto (for research purposes)		75
Car Allowance @)0.35/km		200
Postage		136
Film and Processing (10 rolls)		300
One coil bound copy final report		100
Voice Mail box (first three months)		135
Post Office Box		40
Misc.		50

1992 September 29

Appendix "B" referred to in
Section 10A of the Sixteenth
Report of the Planning and
Development Committee for 1992



Legend

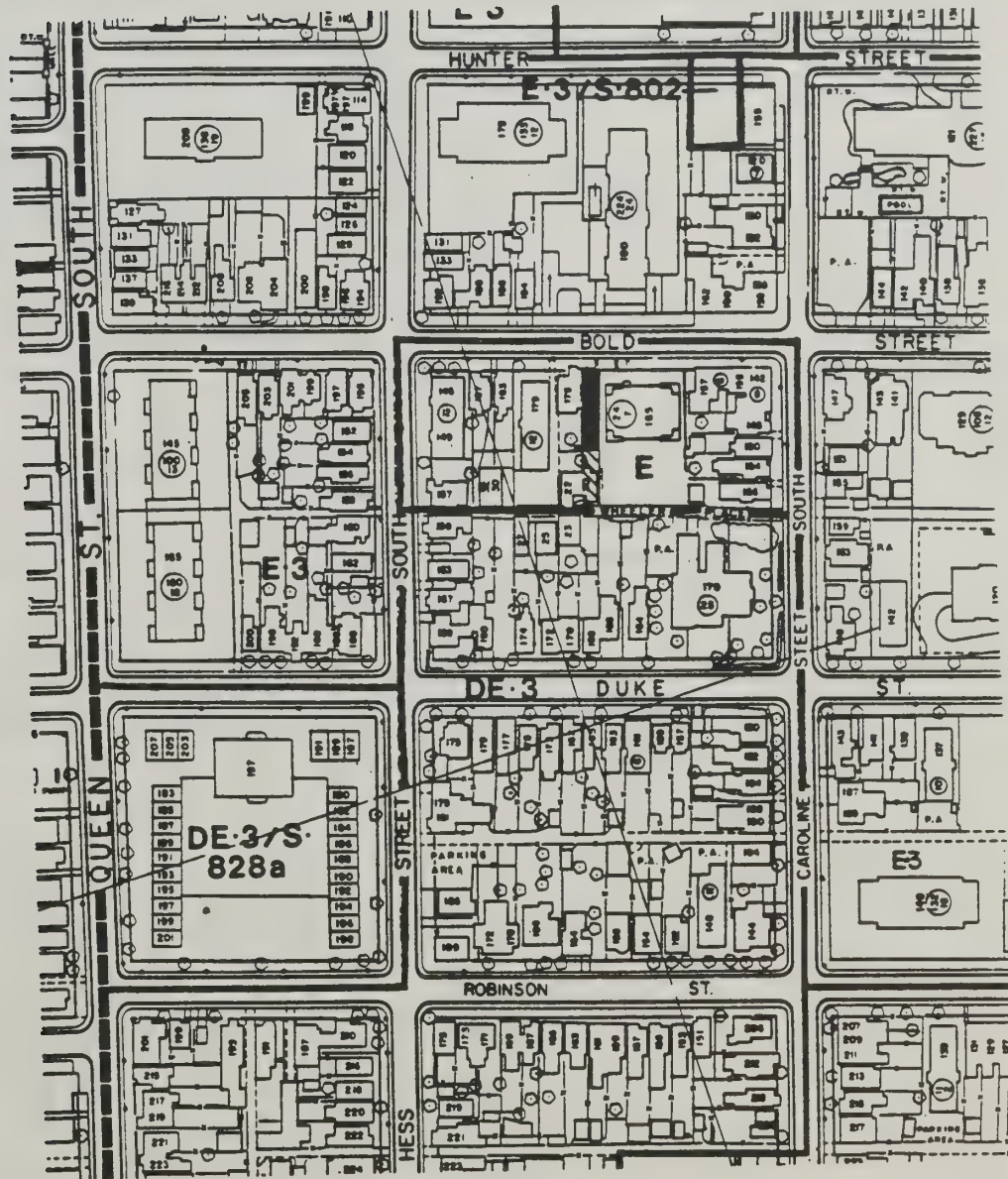


Proposed Change in Zoning From "AA" (Agricultural) District to
"DE-3" (Multiple Dwellings) District





1992 September 29

Appendix "C" referred to in
Section 11 of the Sixteenth
Report of the Planning and
Development Committee for 1992



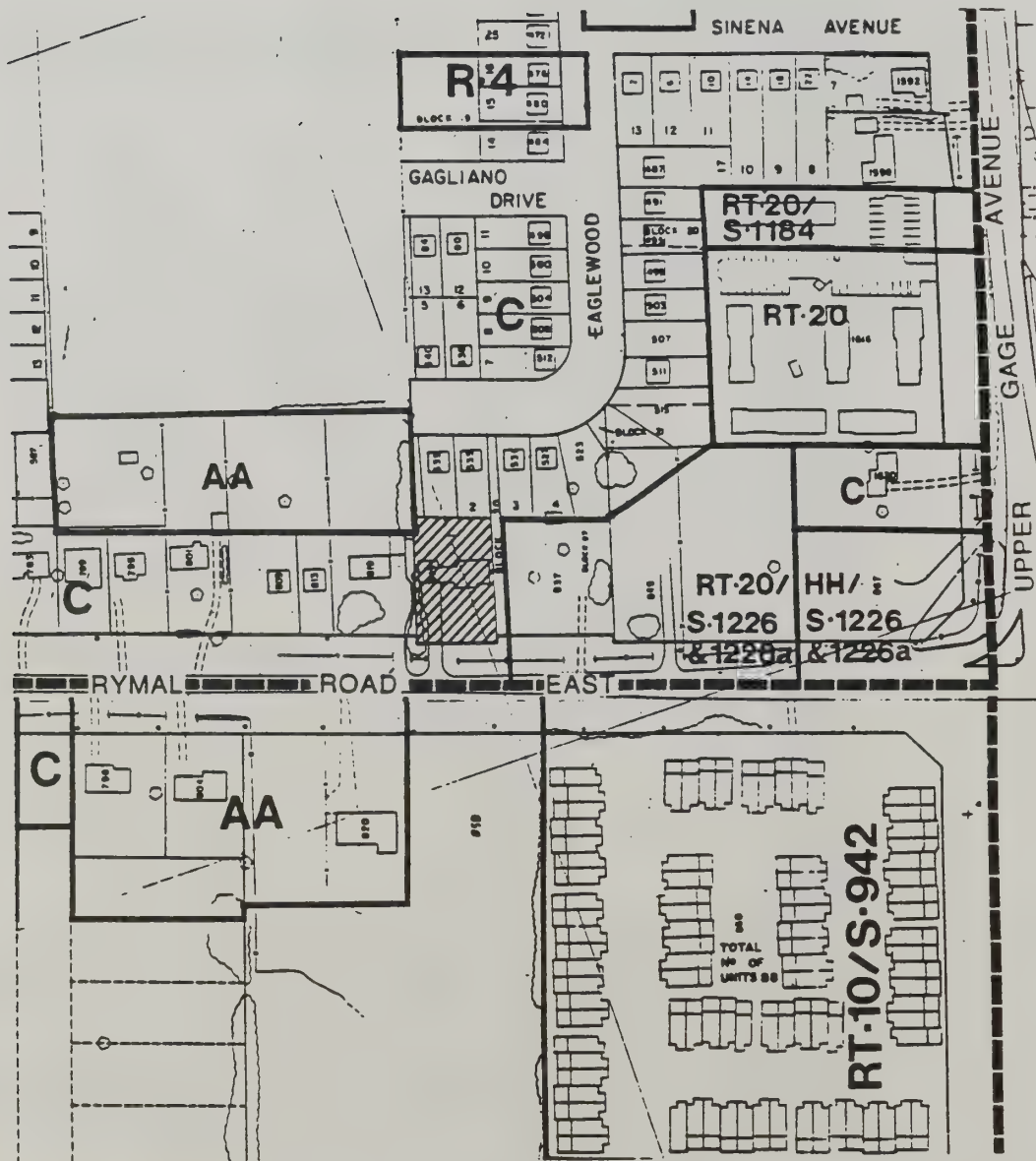
Legend

- Block "1"  Proposed modification to the "E"
(Multiple Dwellings, Lodges, Clubs, Etc.) District regulations.
- Block "2"  (Multiple Dwellings, Lodges, Clubs, Etc.) District regulations.

ZA-92-20

1992 September 29

Appendix "D" referred to in
Section 12 of the Sixteenth
Report of the Planning and
Development Committee for 1992



Legend

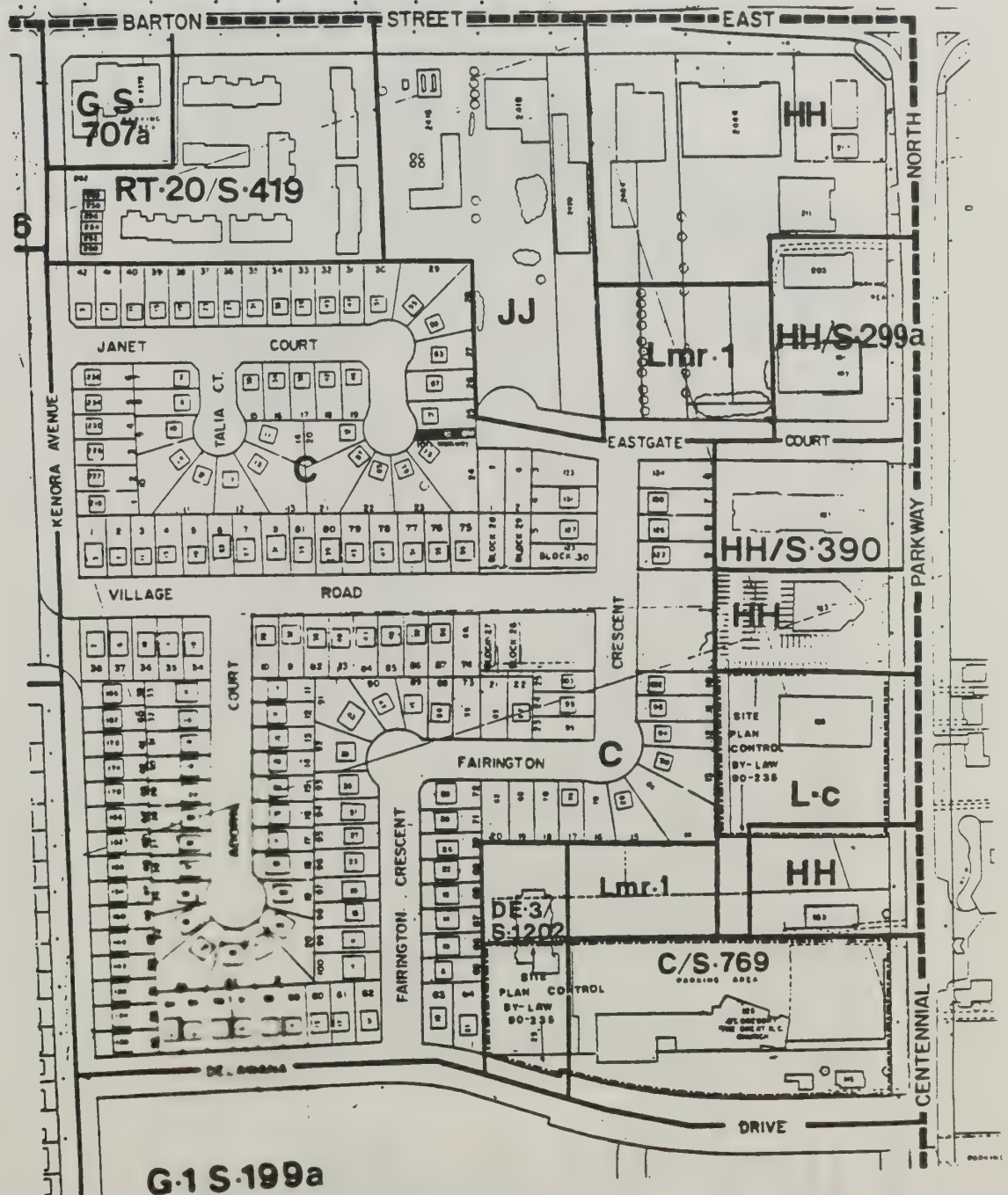


Site of the Application



1992 September 29

Appendix "E" referred to in
Section 13(a) of the Sixteenth
Report of the Planning and
Development Committee for 1992

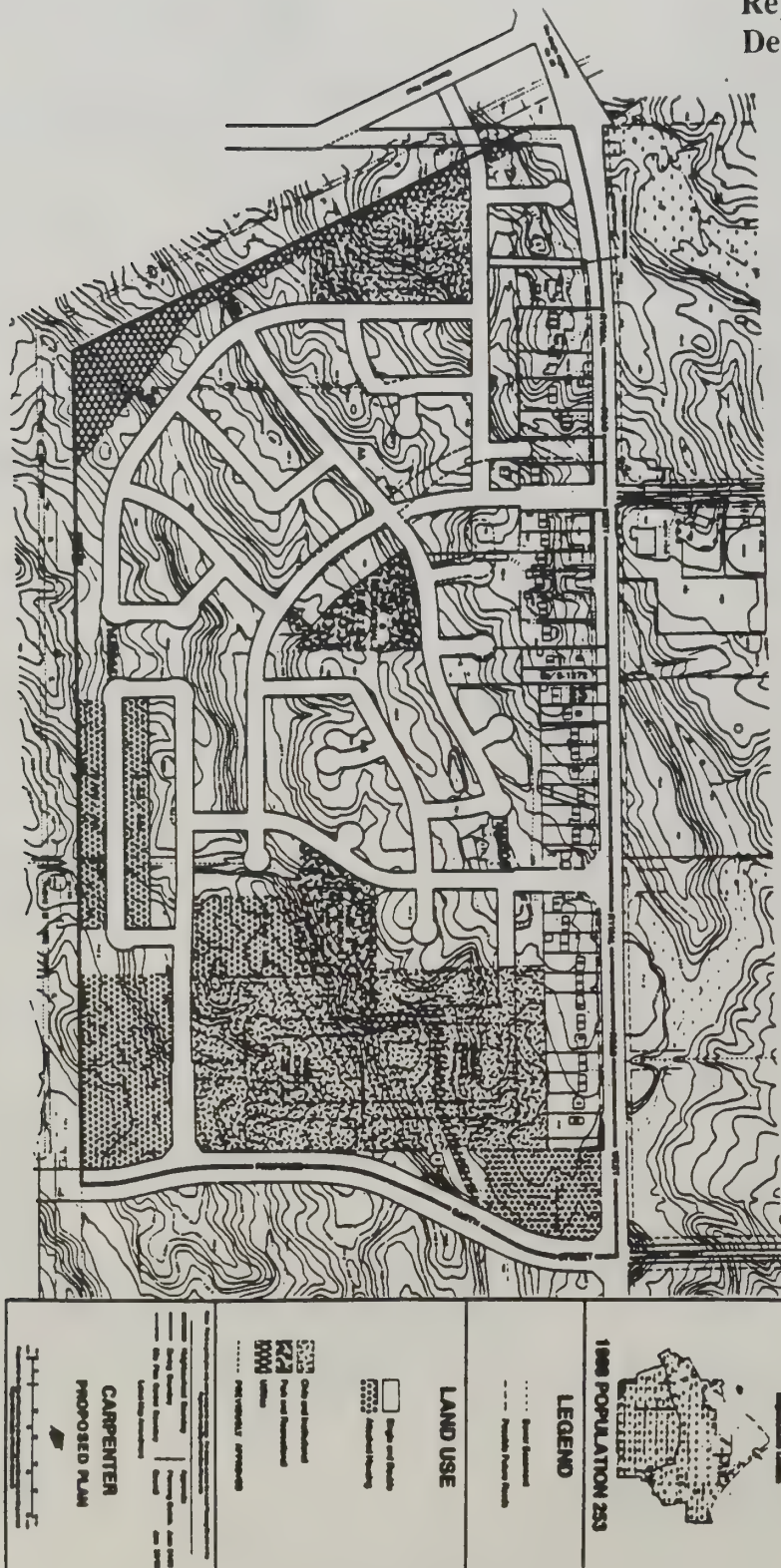


Existing Walkway
Kentley Neighbourhood

MAP - 2

Appendix "F" referred to in
Section 14A of the Sixteenth
Report of the Planning and
Development Committee for 1992

1992 September 29

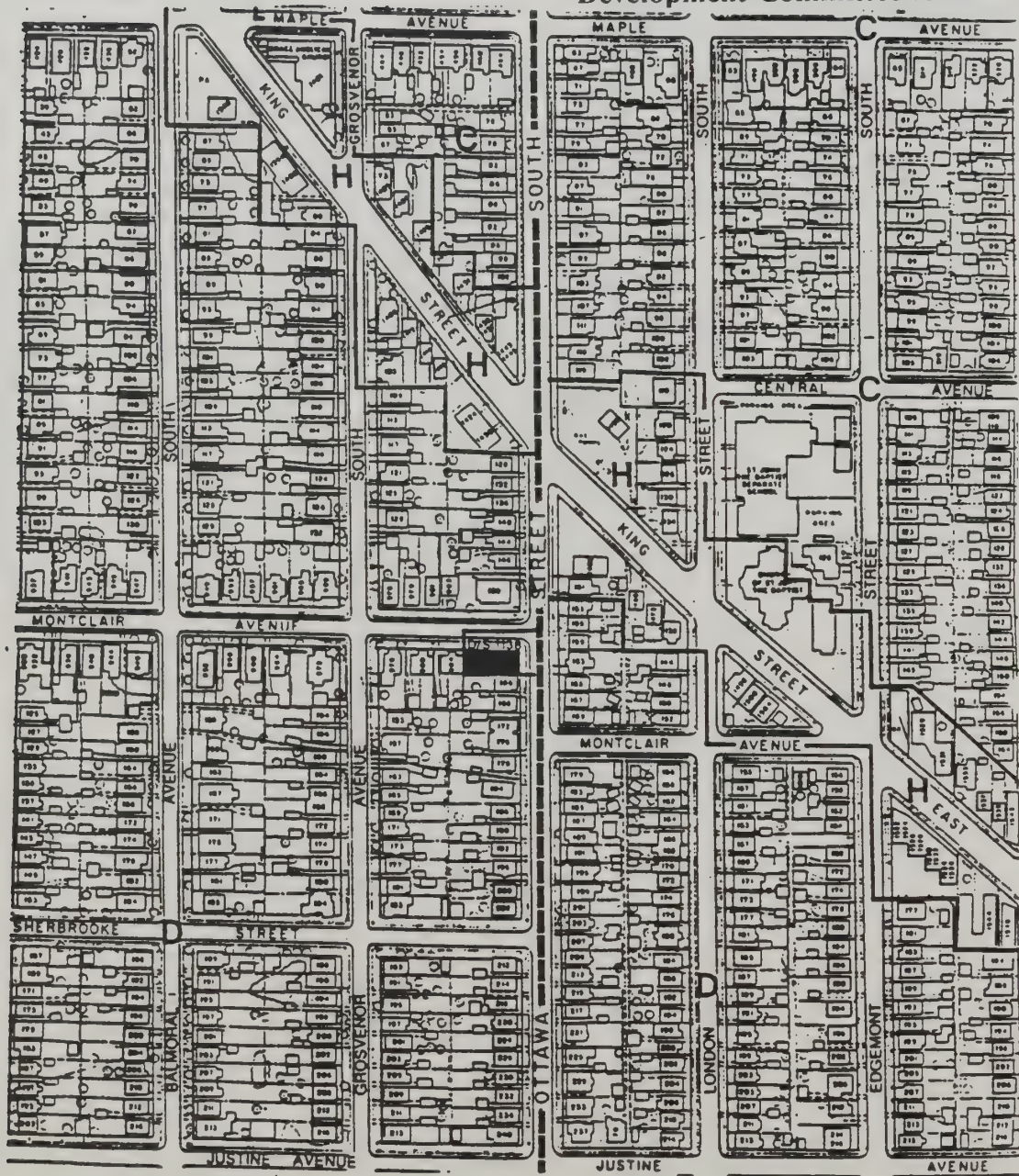


**Appendix "G" referred to in
Section 14B of the Sixteenth
Report of the Planning and
Development Committee for 1992**

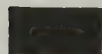


1992 September 29

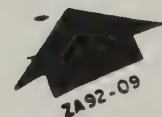
Appendix "H" referred to in
Section 15 of the Sixteenth
Report of the Planning and
Development Committee for 1992



Legend



Site of the Application



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1992 and respectfully recommends:

1.
 - (a) That the City of Hamilton petition the Provincial Government via the Provincial Treasurer and the Provincial Fair Tax Commission on the need to amend The Assessment Act in order to more equitably reflect assessment rates between wholesalers and retailers; and
 - (b) That the Association of Municipalities of Ontario be requested to support this request.
2.
 - (a) That after hearing the evidence and submission of the complainant, Hamilton-Halton Home Builders' Association, the Council of the Corporation of the City of Hamilton hereby confirms the development charges imposed on the property located at 2 Westlawn Drive have been properly imposed pursuant to the City Development Charges By-law 90-74.
 - (b) That the Council of the City of Hamilton approve a modified deferred payment agreement as follows:
 - (i) That the owner enter into a deferred payment agreement respecting the development charges of \$1,723.20, and that the agreement be registered on the title of the property.
 - (ii) That an interest rate of zero per cent (0%) be charged on the deferred development charges.
 - (iii) That the development charge of \$1,723.20 become payable upon occupancy of the building.

3. That as referred to in Section 26 of the Tenth Report of the Transport and Environment Committee for 1992, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an independent concrete sidewalk on the east side of Upper Sherman Avenue approximately 35m north of Limeridge Road East to approximately 26m northerly at an estimated gross cost of \$6,200. with a City's share of \$4,102.40 to be financed from 1992 Capital Levy and the balance of \$2,097.60, being the Owner's share, to be financed by the issuance of debenture for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$2,097.60 for a term not to exceed 20 years for the above project.
4. That approval be given to the action taken by the Acting City Clerk in authorizing the Executive Council of Hamilton Neighbourhoods to use the Council Chambers on Thursday, 1992 September 10 from 7:00 - 9:00 p.m. for their September meeting.
5. (a) That approval be given to the action taken by the Acting City Clerk in authorizing the following:
 - (i) The use of the City Hall forecourt (or Council Chambers in the event of inclement weather) and related equipment by the Hamilton Branch of The Arthritis Society for the purpose of holding a ceremony proclaiming September "Arthritis Month".
 - (ii) Flying of The Arthritis Society Flag at City Hall from Tuesday, 1992 September 8 to Wednesday, 1992 September 30.
- (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other event.
6. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 September 15, attached herewith and marked Appendix "A", be approved.
7. That a purchase order be issued to Queenston Chev-Olds, Hamilton, in the amount of \$63,739.20 including all taxes, for the replacement of four (4) mid-size passenger vehicles Nos. 1305, 1306, 1347 and 1367 for By-Law Enforcement, being the lowest acceptable of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Replacement of Motorized Equipment Account No. CH5X503 00101.

8. That a purchase order be issued to Queenston Chev-Olds, Hamilton, in the amount of \$69,713.80 including all taxes, for the replacement of four (4) mid-size passenger vehicles Nos. 1388, 1308, 1342 and 1344 for the City Garage, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through Replacement of Motorized Equipment Account No. CH5X503 00101.
9. That a purchase order be issued to Case Power & Equipment, Grimsby, in the amount of \$88,838.65 including all taxes for the replacement of One (1) Articulating Wheel Loader Unit No. 9509 for Fleet Services, being the lowest acceptable of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.
10. That a purchase order be issued to Taylor Chrysler Dodge, Hamilton, in the amount of \$80,845. including all taxes for the replacement of Three (3) 1/2 ton Pickup Trucks Unit Nos. 9300, 9332, 9349 and the purchase of Two (2) 1/2 ton Pickup Trucks for Fleet Services, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.
11. (a) That the City Treasurer be directed to prepare a "Proposal Call for Auditors" for a five-year term starting with fiscal year 1993 for auditing services for the City of Hamilton, including its local Boards, Hamilton Entertainment and Convention Facilities Inc., Hamilton Hydro Electric System and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton in relation to the City's Financial Reports of 1993, 1994, 1995, 1996 and 1997; and

(b) That the City Treasurer be authorized to advertise in The Hamilton Spectator for the "Proposal Call for Auditors".
12. That the Treasurer be requested, as part of the 1993 Current Budget deliberations, to review the impact of a reduction in the current penalty and interest rate of 15% per annum charged on outstanding tax arrears and report back to the Finance and Administration Committee.

13. (a) That the Cari-Can Organization be requested to account for the 1992 grant funds which were paid out to them in May in the amount of \$6,750.55 and that any unused portion of this amount which has not been used to pay for start-up expenditures for the 1992 Cari-Can Festival be immediately repaid to the City of Hamilton; and
 - (b) That the amount of \$5,000. which has been held back to offset anticipated City of Hamilton charges for the 1992 Cari-Can Festival remain within the grants budget as a surplus.
14. (a) That effective 1993 January 1, the Optional Monthly Automatic Tax Payment Plan be implemented for commercial and industrial assessed properties for the payment of 1993 Realty Taxes.
 - (b) That the Treasurer be authorized to proceed with the proposed public information and publicity campaign for the Monthly Automatic Payment Plan.
 - (c) That the services of one contract or temporary Database Systems Analyst and three contract or temporary Database/CSP Programmers be obtained to program the replacement Property/Tax system for periods not to exceed 18 months. Funding is to be provided from Account # CH 55434-25415.
 - (d) That the Director of Information Systems and the City Solicitor be authorized to develop a draft Policy for consideration by Committee and Council pertaining to the distribution and/or potential sale to third parties (including other Municipalities) of Computer Business, Process and Data Models, and software as developed by the City of Hamilton.
15. That the following salary classifications be approved:

(a)

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Co-ordinator of Senior's Services & Food Services	Manages the Sackville Hill Senior's Centre and co-ordinates the provision of senior's services with outside agencies. Manages the provision of food services for the Department.	K	\$47,412.56 - \$55,811.08 per annum

(b)

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
School Crossing Supervisor	Supervises the day to day operations of the School Crossing Program. Provides technical and administrative support to the School Crossing Program.	O	\$34,001.76 - \$39,962.52 per annum

16. That the following salary classification for a four (4) year contract position be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Conservator	Provides conservation and preservation maintenance for museum artifacts, historical buildings and municipal public art and monuments.	M	\$40,640.60 - \$47,819.20 per annum

Funding for this position will be 100% funded by the Federal Department of Communications (Conservation Assistance Program) for year one. Grant funding for years two, three and four are 75%, 50% and 25% respectively. The balance to be funded from within the Department of Culture and Recreation's approved budgets.

17. (a) That the Council of the Corporation of the City of Hamilton adopt the following mission statement as it pertains to Child Care:

"The Corporation of the City of Hamilton recognizes its employees as both productive members of the Corporation and responsible members of their families and communities and acknowledges the importance of assisting them in balancing work and family responsibilities. This commitment shall be reflected through the implementation of policies, procedures and programs."

- (b) That the development and implementation of policies, procedures and programs be reviewed by staff, the unions and Human Resources on an ongoing basis and amended as necessary.
- (c) That the Child Care Task Force prepare and submit to both City and Region Senior Management Teams and Union Presidents a report outlining various alternative working arrangements.
- (d) That employees, unions, and management be encouraged to accommodate alternative working arrangements.
- (e) That unions and management bring forward the following items in the next set of negotiations for mutual discussion:
 - (i) job sharing - two employees voluntarily share one full-time position
 - (ii) "family emergency" leave of absence - a leave of absence without pay for the purpose of attending to a family crisis, not to exceed five days per year; leave application can be made by telephone to a direct supervisor/manager; employees shall be offered the opportunity to make up lost time (wages) in straight time, i.e. no overtime.
 - (iii) maternity leave top-up - employees on maternity leave are given supplement to unemployment insurance benefits; the supplement is the difference between 75% of regular earnings and the sum of weekly U.I. benefits; maximum period of receipt is fifteen (15) weeks.
 - (iv) vacation entitlement - that vacations granted in any year shall be determined on the basis of aggregate credited service and such service is to include maternity/parental leave whether paid or unpaid.
- (f) That, in the interim, a Sub-committee be struck to include representation from CUPE Local 167 and Task Force members to discuss supporting and implementing job sharing.
- (g) That in the future, consideration be given to accommodating a Child Care Centre when any new City building is purchased or constructed.

- (h) That the Task Force prepare and forward a report to the the Manager, of the Real Estate Division, Property Department on the feasibility of implementing a Child Care Centre.
- (i) That the Child Care Task Force continue to meet to complete the above tasks and that Council direction be given to representatives from the Department of Culture and Recreation, the Hamilton Public Library, the Department of Public Health and the Department of Social Services to assist in the compilation of an information brochure and the development of in-house service programs.

The above noted recommendation will also be considered by the Regional Administrative Services Committee and Regional Council.

- 18. (a) That approval be given to the sale of Break-Open Tickets from Third Party Locations on a permanent basis, subject to the Terms and Conditions which applied to the 6-month trial period, as attached hereto and marked Appendix "B".
- (b) That the issuance of Break-Open Ticket licences for the list of charitable organizations attached hereto and marked Appendix "C", be approved until 1992 December 31.
- 19. That the Second Draft of the Discussion Paper on Lottery Licence Terms and Conditions circulated to municipalities by the Ministry of Consumer and Commercial Relations, respecting the framework for new Terms and Conditions under which charitable organizations may conduct various lottery schemes, be endorsed. Copies of this paper were presented at the Finance and Administration Committee meeting and are available from the Committee Secretary upon request.
- 20. That the Regional Municipality of Hamilton-Wentworth be requested to co-ordinate the preparation of an Agreement between the various area municipalities permitting taxicabs to pick up passengers in one municipality and deliver into another municipality.
- 21. (a) That Section 5(a) of the Fifteenth Report of the Finance and Administration Committee for 1992 which was adopted by City Council on 1992 July 28 respecting Civic Awards for members of the Hamilton Hoppers Skipping Team be amended to change "civic silver pins" to "civic gold pins"; and,

- (b) That Section 5(b) of the Fifteenth Report of the Finance and Administration Committee for 1992 which was adopted by City Council on 1992 July 28 respecting Civic Awards for members of the Hamilton Hoppers Skipping Team be amended to change "civic silver rings" to "civic gold rings".

22. That civic gold pins be awarded to the following members of the Hamilton-Wentworth Aquatic Club for winning the 1992 Provincial Age Group Championship:

Julia Berglund	Marcus Montgomery
Steve Caswell	Cody Osmon
Shannon Clark	Jackie Oliveira
Kristin Hozjan	Jennifer Scott
Andrea Jenkins	Diana Staples
Megan Jones	Virginia Stonehouse
Julie Kecskemeti	Sheryl Turnbull
Goran Marjanovic	

23. That civic gold pins be awarded to Andrea Cosentino and Heather Gowan of the Hamilton Synchronized Swim Club for winning the 1992 Synchronized Swimming Age Group Provincial Championships held in Etobicoke, Ontario from 1992 May 7 - 9.

24. That the following civic awards be presented to members of the Hamilton and District Five Pin Bowling Association for winning the Masters Five Pin Provincial Championships and the Canadian Masters Five Pin Championship:

Michael Bates	-	Diamond Insert
Brenda Campbell	-	Civic Gold Pin, Civic Gold Ring
Stephanie Tuck	-	Diamond Insert
Rob Ward (Coach)	-	Civic Gold Ring

25. (a) That the Ministry of Transportation and Communication be requested to amend the Highway Traffic Act to prohibit solicitation at the scenes of accidents,
- (b) That the Association of Municipalities of Ontario be requested to support this request,
- (c) That the Police Services Board of the Regional Municipality of Hamilton-Wentworth, be advised of this action.

26. (a) That a brochure be designed for circulation to members of the public interested in applying to City Committees, Local Boards and Commissions;
- (b) That the City Clerk's Department be directed to advertise in various media, including ethnic media, a list of which will be provided by the Advisory Committee on Equitable Representation on Committees/Boards/Commissions;
- (c) That all Committees/Boards/Commissions be advised of vacancies when they arise;
- (d) That ethno-cultural communities, organizations representing the disabled, the Native Indian Centre, women's groups, and all other organizations or individuals upon request, be notified of vacancies on Committees/Boards/Commissions;
- (e) That the City Clerk's Department be encouraged to participate in free media advertising available including the cable network (particularly on ethnic programs) and ethnic radio broadcasts to encourage people to apply;
- (f) That all notices of meetings be circulated to the media.
- (g) That all Committees/Boards/Commissions be encouraged to hold some meetings in various facilities outside of City Hall and invite persons of those neighbourhoods to attend;
- (h) That members who miss three consecutive meetings without committee approval be subject to replacement on that committee;
- (i) That membership to all Committees/Boards/Commissions be staggered with 1/3 of its membership's terms of office expiring each year unless the terms of office are established by provincial or federal legislation;
- (j) That membership on Committees/Boards/Commissions be limited to two (2) consecutive Committee/Boards/Commission terms unless the terms of office are established by provincial or federal legislation;

- (k) That the Tracking Form and Application Form, attached hereto and marked Appendix "D", be adopted for use by members of the public interested in applying to Committees/Boards/Commissions;
- (l) That the following process for applying, interviewing and selecting applicants to Committees/Boards/Commissions be adopted:
 - (i) An Application Form and Tracking Form may be obtained from the City Clerk's Department and the completed form(s) returned to the City Clerk's Department;
 - (ii) Applicants must attend a mandatory Orientation Session, the purpose of which will be to describe the work of the various Committees/Boards/Commissions. The Committees/Boards/Commissions will be required to:
 - (1.) provide written material outlining the scope of their Committee/Board/Commission, the time commitment required and the qualifications necessary;
 - (2.) arrange for a representative of that Committee/Board/ Commission to attend the Orientation Session to answer any questions applicants may have;

Applicants will be offered a choice of at least three (3) dates for the Orientation Session from which they must select one;

All applicants will be required to attend unless they are applying for renewal of their present appointment. Applicants who do not attend one of the offered Sessions will not be considered for appointment.

The sessions will be co-ordinated by the City Clerk's Department, the Human Resources Centre and the Selection Committee;

- (iii) A Selection Committee will be struck by City Council, the mandate of which will be to:

- (1.) co-ordinate with assistance from the City Clerk's Department the Orientation Sessions;
- (2.) review applications to the Committees/Boards/Commissions;
- (3.) interview candidates;
- (4.) make recommendations for selection to the Standing Committee of City Council to which the Committee/Board/Commission reports.

The Selection Committee will consist of:

- (5.) a minimum of three (3) and a maximum of five (5) members of City Council
- (6.) one member of the Advisory Committee on Equitable Representation on Committees/Boards/Commissions to serve as a non-voting resource person
- (7.) one member of the Committee/Board/Commission to which the vacancy applies to serve as a non-voting resource person

Members of the Selection Committee will be rotated every twelve (12) months. A schedule will be established for members of City Council, the Advisory Committee on Equitable Representation on Committees/Boards/Commissions, and the applicable Committee/Board/Commission.

(iv) The interviews:

The allotted time for each interview will be approximately ten minutes.

All candidates who attend the Orientation Session will be interviewed.

An established set of interview questions will be developed by the Selection Committee and will be asked of all candidates.

All candidates will be notified in writing once the selection has been approved by City Council.

- (m) That an Equitable Representation Survey be conducted by the Human Resources Centre every three years and that the first Survey be carried out in 1992;
 - (n) That this process commence with those applicants being appointed for terms commencing at the end of 1992.
27. That the following resolution from the City of Guelph regarding the protection of the wildlife community with respect to preparation work to be done at development sites be received:

"WHEREAS Government needs to demonstrate leadership in the concern for the state of the earth;

AND WHEREAS development often results in the disturbance of natural habitats;

NOW THEREFORE BE IT RESOLVED THAT Guelph City Council petition the Ontario Government for the appropriate enabling legislation to prevent any site preparation work such as clearing, top soil stripping, or grading of lands prior to receiving appropriate planning approvals;

AND THAT the resolution be circulated to the Sewell Commission and municipalities having a population over 50,000 for endorsement".

28. That the following resolution from the City of Windsor respecting Enhanced 911 Telephone Emergency System be received:

"WHEREAS there is a widely held awareness of the usefulness, along with clearly demonstrated public safety benefits of the 911 telephone emergency dialing assistance to those in need of urgent ambulance, fire and police response and support; and

WHEREAS the Canadian Radio-Television, Telecommunications Commission (CRTC) is expected this

autumn, to receive submissions from Bell Canada with regard to a proposal to implement subscriber billing for the operating costs of the enhanced 911 telephone emergency system; and

WHEREAS there are many areas in our Province without a 911 telephone emergency system or are without an enhanced version of the 911 telephone emergency system, and in particular the ambulance, fire and police emergency services along with the people of the City of Windsor do not have the benefit of the enhanced system, and further, the municipalities in the rest of this County do not have a 911 telephone emergency system at all; and

WHEREAS it has been clearly demonstrated that the enhanced version of the 911 telephone emergency system is far superior with an excellent and instant method of automatically pinpointing the exact location of the person calling in need of emergency assistance,

THEREFORE BE IT RESOLVED that the CRTC be urged to receive submission as soon as possible, deliberate swiftly and without delay issue appropriate findings regarding a subscriber billing plan for implementation of the enhanced 911 telephone emergency system which will improve the safety and benefit of the people of our Province and further, that the Government of the Province of Ontario and its Ministries, the municipalities of the Province, ambulance, fire and police agencies and their respective organization groups, along with any other agency, body or individual who has interest in this matter also be urged to present their views and support of this proposal to the CRTC and further, a copy of this resolution be forwarded to the Ontario Association of Police Service Boards for distribution to the other Police Services Boards in Ontario and that it be recommended that their Executive favourably consider a presentation to the CRTC and further, this resolution be forwarded to the Association of Municipalities of Ontario 1992 Annual Meeting for their urgent support".

29. (a) That an Agreement of Purchase and Sale prepared by the Canadian National Railway Company and scheduled to close on or before 1992 November 20, for the purchase by the City of those lands situated in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, having a frontage along the easterly road limit of Ferguson Avenue North of 26.20 metres (85.97 feet) more or less, by a depth of 50.81 metres (166.7 feet) more or less, being irregular in shape and comprising a total area of 1,331.361 square metres (14,331.12 square feet) more or less, and lying directly north of the property known municipally as 302 Ferguson Avenue North, be approved and completed and the purchase price of \$65,000. be charged to Account Centre 00102 (Reserve for Property Purchases).
- (b) That as consideration in the amount of \$2.00 is to be paid to the owner as deposit, this amount be deducted from the purchase price.
- (c) That the City agrees to pay, on closing, all of the Vendor's costs of the Reference Plan/Survey.
- (d) That the City agrees within 365 days of this purchase to construct a 6 foot high fence at the request of the Canadian National Railway Company where the lands to be purchased abut exposed track.
- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
30. (a) That the City of Hamilton host a reception for 325 delegates who will be attending the 1992 South Central Ontario Municipal Conference "Learning Together", sponsored by the Ontario Ministry of Municipal Affairs, Community Development Branch; and
- (b) That this reception be hosted at the Royal Connaught Hotel at a cost not to exceed \$3,900. Funds are available in the Special Receptions and Dignitaries Hosting Account #CH55314 84010.
31. (a) That the City of Hamilton host a reception for the Famous People Players at Hamilton Place, following their performance on Tuesday, 1992 September 29th; and

(b) That the cost for this reception not exceed \$750. Funds are available in the Special Receptions and Dignitaries Hosting Account #CH55314 84010.

32. That the City lease for parking purposes .184 acres of land located at the corner of Birch and Harvey Streets belonging to Ontario Hydro for a five year period at a rate of \$2,040. per annum (which includes adjacent land presently leased from Ontario Hydro for the same purpose).

33. That the City of Hamilton lease the parking lot owned by Theatre Aquarius Inc. beside The duMaurier Ltd. Centre for a Hamilton Parking Authority lot on the following terms:

(a) That an initial minimum term commencing 1992 October 14, or the date of execution of the Lease - whichever is later, continuing to 1994 November 30.

(b) That rent payable by the City to Theatre Aquarius Inc. during the initial Lease term and any renewal shall be:

(i) fifty per cent (50%) of net revenue realized by the Hamilton Parking authority during the preceding calendar year (or part thereof, as the case may be), provided the minimum rent payable shall be not less than \$10,000. per year. Such rent shall be paid to Theatre Aquarius Inc. within sixty days of the end of each calendar year.

"Net revenue" is the gross revenue received from the operation of the parking lot after deducting related Parking Authority operating expenses including taxes, utilities, labour, repairs and insurance.

(ii) **issuance - at 50% of cost, monthly day passes requested by Theatre Aquarius Inc.; - at no cost, monthly day passes to Theatre Aquarius Inc. staff and 24 hour passes to the Executive Director and to the Production Director.**

(c) That Theatre Aquarius Inc. pay hydro power charges. The Parking Authority shall maintain and operate the parking lot, including payment of business and realty taxes.

- (d) That the City shall have an option to renew the Lease upon the same terms, from 1994 December 1, until 1997 September 30, subject to Ontario Municipal Board approval. During the initial Lease term, the City shall apply for this approval from the Ontario Municipal Board for the Lease renewal.
- (e) That the City shall have further option to renew the Lease from 1997 October 1, for an additional five-years on the same terms, subject to Ontario Municipal Board approval and subject to the right of Theatre Aquarius Inc. to terminate the Lease during this renewal period, if the property is required by Theatre Aquarius Inc. for purposes other than the parking of cars.
- (f) That the Mayor and the City Clerk be authorized to execute the Lease in a form satisfactory to the City Solicitor.
- (g) That the City Solicitor be authorized to apply for Ontario Municipal Board approval to renew the Lease from 1993 November 1 to 1997 September 30.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Anderson, Ross, D'Amico. -14.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

- 34. That the Parking Authority be authorized to take the dual action of offering a surplus-declared carpark located at 90 Kinrade Avenue (land bounded by Kinrade on the east and Chestnut on the west) for sale to Civic departments and at the same time for sale to the Public.
- 35. That leave be granted to introduce the following Bills:
 - (a) Bill H-61 A By-law to amend Municipal Tax Levy By-law No. 71-69 respecting Optional Pre-authorized Realty Tax Payments.

1992 September 29

(b) Bill H-62

A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

36. That the City allow the registered "YES" and the registered "NO" Committees in the upcoming Referendum on the Constitution, the free use of City Hall facilities to conduct information meetings and/or rallies and further that HECFI be requested to grant similar approvals for the use of its facilities."

ADDED, AMENDED AND CARRIED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 September 24**

Appendix "A" referred
to in Section 6 of the
Eighteenth Report of the
Finance and Administration
Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Raymond Baglolo	Traffic Servitroom/ Union 1 (11 8)	Traffic	Replacing Mr. G. Bartolotta - promoted	\$28,850.64 to \$31,800.60	08/31/92
Mr. Ronald Buttrum	Forester 1 (D-208)	Public Works	Replacing Mr. S. Plante - promoted	\$34,956.48 to \$27,725.88	08/03/92
Mr. Alexander Chowchun	Forester 1 (D-208)	Public Works	Replacing Mr. B. Fleming - promoted	\$35,372.48	08/03/92
Mr. Mike DiSanza	Parking Control Officer (13-1)	Traffic	Additional Staff Council Approved - April 14, 1992	\$31,612.88 to \$36,305.88	08/31/92
Mr. Doug Eldridge	Parking Control Officer (13-1)	Traffic	Replacing Mr. J. Rose - promoted	\$31,612.88 to \$36,305.88	08/31/92
Mr. Dennis Farkas	Breathing Apparatus Technician Firefighter (6-CA)	Fire	Replacing Mr. C.W. Lofthouse - retired	\$50,667.57	09/06/92
Mr. Alvin Hamen	Greenskeeper II (D-13B)	Public Works	Replacing Mr. P. Lecompte - promoted	\$33,280.00	07/13/92
Mr. Dean Jamleson	Street Sweeper/Flusher (D-14D)	Public Works	Replacing Mr. K. Ridgeveill - transferred	\$33,789.60	08/17/92

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1992 September 29

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. William Longley	Forester I (D-10B)	Public Works	Replacing Mr. D. Couch - promoted	\$35,372.48	08/03/92
Mr. Joel Luke	(Sports Groundskeeper II) Labourer (D-10A)	Public Works	Replacing Mr. J. Tasic - resigned	\$32,583.20	08/03/92
Mr. Douglas Pickard	Customer Service Rep. Plan Examiner (19-A)	Building	New Position Council Approved - March 21, 1991	\$34,842.08 to \$40,598.48	08/17/92
Mr. Horst Weber	Sports Groundskeeper II (D-10A)	Public Works	Replacing Mr. M. Orr - promoted	\$32,583.20	08/24/92

TERMS AND CONDITIONS

Appendix "B" referred
to in Section 18(a) of the
Eighteenth Report of the
Finance and Administration
Committee for 1992.

(i) Except for Provincial Terms and Conditions 3, 4b, and 17b mentioned in the Minister's letter, dated March 6, 1987, that applicants for licences comply with all applicable laws and provisions of the Lotteries By-law.

(ii) That licence applicants, requesting exemption to Terms and Conditions 3, 4(b) and 17(b) as part of their application:

(a) file proof satisfactory to the Licence Committee that the applicant either does not own or regularly occupy premises, or that the premises owned or occupied are impractical for the sale of tickets;

(b) file the signed written consent of the owner or occupier of the premises to be used for the sale of tickets, allowing the sale of tickets for the term of the licence;

(c) file the account number, bank name and branch of the lottery account, and the full names and home addresses of signing officers for the account, specifying whether withdrawals may be made on their signature alone, or with the signatures of other officers;

(d) file a statutory declaration of the applicant, on the form provided by the Licence Division, specifying that no direct or indirect payment is or will be made for the use of premises, property and services involved in the sale of tickets, or otherwise, to the owner or occupier of the premises from which tickets will be sold;

(e) file the statutory declaration of the owner or occupier of the premises from which tickets will be sold, on the form provided by the Licence Division, that no direct or indirect payment has been made, requested or promised from the licence applicant for the use of premises, property and services involved in the sale of tickets, or otherwise, and that no deduction will be made from the proceeds of the lottery when turning over such proceeds to the licence holder, save for cash prizes paid out to winners;

(f) file the signed written approval of the designated member in charge, that they have reviewed the security for tickets and money, and the requirements for the sale of tickets with the owner or occupier of the premises to be used, and have found them satisfactory and responsible;

(g) file sufficient information to allow the Licence Committee to identify the location for sale of tickets, the placement of the container holding tickets while it is being used for ticket sales, and for the Licence Committee to approve the location and placement as suitable for the sale of tickets based on security and appropriateness for a lottery.

(iii) That the licence holder file the signed written right of access of the manufacturer and distributor of the tickets to be sold, prior to the sale of any tickets.

(iv) That, in addition to their regular duties, the person or persons designated to be in charge of the lottery undertake to, on a weekly basis:

(a) attend at the commercial or third party location authorized, to pick up the receipts from boxes of tickets sold, and make a record of a reconciliation of the inventory of tickets, and the receipts, with boxes of tickets sold (for this purpose the seller shall not have more than one box of tickets in the jar for sale at any one time);

(b) make an immediate deposit of the receipts obtained under (A);

(c) review the measures being made for the security for tickets and money from the lottery, and take any necessary steps to ensure the receipts from the lottery are obtained and can be applied to the charitable objects listed in the licence.

(v) That, in addition to their regular duties, the person or persons designated to be in charge of the lottery shall undertake to:

(a) produce to the Licence Division, on a monthly basis, the updated bank book for the lottery account, and copies of the reconciliations from (iv)(a) above for the previous month, and cheques for any withdrawals from the account with the reason for the withdrawal noted thereon, and information on the number and location of all boxes of tickets;

(b) advise the police and the Licence Division of the City, immediately upon the discovery of any shortfall of money or tickets by reason of suspected loss or theft;

(c) maintain records of the reconciliations for at least four years after the licence has expired.

(vi) To ensure the separation of funds, not more than 1 licence shall be issued for a location at one time, and for the purposes of clarity, a location shall be deemed to

be the entire commercial or third party location under the control of the owner or occupier.

(vii) That as part of the approval process, a licence inspector be designated to attend at the premises to be used for sales, to review with the owner or occupier, the relationship with the licence holder, the applicable terms and conditions, the remuneration which has been provided by the owner or occupier, and to assist with questions on the required method of selling tickets.

(viii) That no person or organization shall receive any remuneration for selling tickets.

(ix) That if any terms and conditions are violated, the licence be recommended for suspension or revocation.



1992 September 29

Office of the
Minister
Bureau du
Ministre

Ministry of
Consumer and
Commercial
Relations

Ministère de la
Consommation
et du
Commerce

416/963-0311

555 Yonge Street
Toronto, Ontario
M7A 2H6

March 6, 1987

TO ALL MUNICIPAL COUNCILS

In December 1986, terms and conditions for the issue of Nevada ticket licence were sent to all municipalities by the Lotteries Branch of my ministry. I approved those terms and conditions and I strongly recommend they be complied with by all licencing officials.

However, I have been made aware of a number of charitable and community spirited groups which would otherwise qualify for Nevada ticket licence, but do not own or regularly occupy premises as required by Section 3 of the terms and conditions. Indeed, many of these groups were in receipt of licence and committed to worthwhile projects when the terms and conditions were issued.

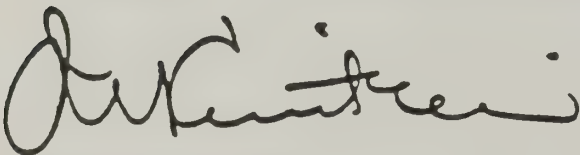
In order to alleviate the hardship created for some charitable groups, I hereby authorize a municipal council, in its own discretion, to grant an exemption to the requirements of Sections 3, 4(b) and 17(b) of the terms and conditions provided that:

...2/

- 2 -

- (a) the licence applicant cannot meet the requirements of Section 3; or
- (b) the licence applicant meets the requirements of Section 3 but it is impractical to sell tickets from that location;
- (c) the sale of tickets is limited to ONE location only; and
- (d) all other sections of the terms and conditions are complied with.

Where an exemption has been granted, a municipal council must ensure the licensee complies with ALL OTHER TERMS AND CONDITIONS and the recipient charity receives maximum proceeds from the sale of Nevada Tickets.



MONTE KWINTER

Minister

It is a condition of each licence that:

- (1) The licensee shall comply with Sections 189 and 190 of the Criminal Code of Canada.
- (2) (a) the licensee shall comply with all the terms and conditions set out in the application for licence.
(b) an application for Break-Open Tickets shall be made either:
 - (i) to the local Municipal Council in those Municipalities where all Break-Open Ticket licences are issued by that Municipality with the exception of the provisions contained in Section 5, or, in all other cases
 - (ii) to the Lotteries Branch, after appropriate approval is obtained from the local Municipal Council or Band Council where the sales are proposed to take place.
- (3) A Break-Open Ticket Licence shall only be issued to a charitable or religious organization which owns or regularly occupies premises at which tickets will be offered for sale.
- (4) (a) Each applicant for a licence shall specify one designated location at the address where all Break-Open Tickets will be sold. If a licence is issued, tickets shall not be sold at any place other than the location designated in the application and specified on the licence.
(b) The designated location specified pursuant to this section shall not be a public, commercial, retail location, nor a location licenced by the L.L.B.O. as a public tavern or beverage room.
- (5) Break-Open Tickets may be sold in association with another Social Gaming event provided that:
 - (i) the tickets are sold under a licence issued by the Lotteries Branch pursuant to Section 2(b)(ii)
 - (ii) the licence is issued only to the charitable or religious group(s) conducting the other event(s) at the location where the tickets are to be sold
 - (iii) all terms and conditions for the sale of Break-Open Tickets and the conduct of the other event(s) are complied with.
- (6) No licence shall be issued for a period exceeding six months.
- (7) A licence shall be issued only for the sale of Break-Open Tickets which retail for a maximum of \$.50¢ and conform with the ticket quantities, prices and prize payouts as provided below; scratch-off or other forms of break-open tickets are not permitted. The value of any prize awarded shall not exceed \$100.00.

COMMON NAME	NO. OF TICKETS PER UNIT	PRICE PER TICKET	GROSS UNIT REVENUE	NO. OF WINNING TICKETS PER UNIT	PRIZES PER UNIT	LICENCE FEE PER UNIT
regular	1668 or 1664	\$.50	\$ 834 or \$ 832	224	\$600.00	\$10.00
super	2184	\$.50	\$1092	224 or 228	\$800.00	\$12.00
junior	1668 or 1664	\$.25	\$ 417 or \$ 416	224	\$284.00	\$5.00

- (8) The licensee shall forward a copy of the licence to the manufacturer or the distributor from which tickets are to be purchased.
- (9) The applicant shall supply, upon the request of the licencing authority, a signed right of access from the distributor and the manufacturer of the tickets for which the application is submitted.
- (10) The licensee shall indicate on the face of the tickets the name of the organization, the numbers and amounts of the prizes to be awarded, the price of a ticket, the serial number of the ticket, the licence number and the name of the manufacturer of the ticket.
- (11) The licensee shall maintain all funds raised in a separate account. Such account shall be appropriately designated and into it shall be deposited all and only monies received from the operation of the Break-Open Ticket Lottery less the cash payments made for prizes and administrative expenses. All withdrawals from such designated lottery account shall be exclusively by cheque and only be for the purpose of the payment of the necessary and reasonable expenses incurred in the operation of the lottery or for the disbursement of net proceeds derived for one or more charitable object or purposes. The comminglings of monies derived from the conduct of a lottery with any other funds of the licensee or monies derived from Break-Open Tickets Lottery with monies derived from any other type of lottery is strictly prohibited.
- (12) The gross receipts derived from the sale of Break-Open Tickets shall be used for the charitable or religious objects or purposes set out by the licensee in the application for the licence less all reasonable costs actually expended for the payment of prizes, the purchase of tickets, administrative costs and licence fees.
- (13) All proceeds derived from the sale of Break-Open Tickets shall be used for a charitable or religious object or purpose in Ontario.
- (14) No part of the proceeds derived from the conduct of a Break-Open Ticket Lottery shall be applied to the premises at which the sale of Break-Open Tickets is authorized unless the use of the proceeds for such purpose shall enhance the ability of the licensee to perform services of public good or welfare, and written permission is obtained from the Licencing Authority. The maximum amount of proceeds which any licensee may expend on the premises shall not exceed twenty-five percent of the total net proceeds derived from the conduct of the lottery.
- (15) No licensee shall offer for sale any ticket or number of tickets not contained in a jar, box or other container in which all tickets of the given unit have been placed for sale.
- (16) When the number of tickets within the container has been apparently reduced by one-half, the licensee shall refill the container by adding an additional unit (units) of tickets.
- (17) (a) The licensee shall designate a bona-fide member or members of the organization to be primarily responsible for the sale of tickets, the payment of prizes and the keeping of all required records.

(b) The actual handling or selling of tickets shall not be delegated to any organization, company, entity, or to any other person who is not a bonafide member of the licensee.
- (18) No person who is in any way associated with the sale of Break-Open Tickets shall be permitted to purchase a ticket or participate in the winnings of any ticket.
- (19) No person or organization shall receive any remuneration for selling Break-Open Tickets. Maximum administrative expenses for the sale of tickets shall not exceed .01¢ (one cent) for each ticket sold.
- (20) The licensee shall not sell any ticket at a price other than the price appearing on the face of the ticket.

- 3 -

- (21) All Break-Open Tickets shall be opened by the purchaser at the premises stated on the licence and all winning tickets shall be exchanged for cash on the day of sale.
- (22) Winning tickets shall be defaced by the seller at the time of prize payout.
- (23) Each licensee will be held responsible for and shall guarantee the payment of all winnings.
- (24) The licensee shall post the Break-Open Ticket Licence in a conspicuous place at the premises where tickets are being sold.
- (25) The licensee shall obtain invoices for all Break-Open Tickets purchased and retain all invoices for a period of no less than two years.
- (26) Each licence shall at all times maintain complete security over the Break-Open Tickets in its possession and all funds associated therewith. For control of inventory purposes, all stock must be stored and kept in one fixed location in order to permit, if requested, the periodic reconciliation of stock usage and cash flow.
- (27) (a) The licensee shall not permit any person under the age of sixteen years to purchase a ticket.
(b) The licensee shall not extend credit, accept cheques or accept payment by way of credit card for the purchase of any Break-Open Tickets.
- (28) Each licensee shall submit a report on the sale of Break-Open Tickets as set out in Form BOTL-R.
- (29) Such officers as the Minister and Municipal Council may appoint, and all Peace Officers shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the licence has been granted, either prior to, during, or after the conclusion of such proceedings.
- (30) A licence may be suspended, cancelled or renewal refused by the issuing authority for breach of any term or condition.
- (31) The Minister may, at any time, suspend or cancel a licence for the breach of any term or condition, or where, in his opinion, to do so is in the public interest.

Appendix "C" referred
to in Section 18(b) of the
Eighteenth Report of the
Finance and Administration
Committee for 1992.

NEVADA TICKETS - 3RD PARTY LOCATIONS

CHARITY	3RD PARTY	ADDRESS	STARTING DATE	# BOXES SOLD	COMMENT
Aquatic Club	Food Fair	Jackson Square	April 18/92	32 (\$7,584.)	successful
Arthritis Society	Connaught Ticket Agency	Jackson Square	March 1/92	28 (\$6,636.)	successful
Big Brothers	Mellows	1685 Main St. W.	March 2/92	68 (\$16,116.)	successful
C.M.I.B.	Mellows	140 Centennial Pkwy.	March 17/92	30 (\$7,110.)	successful
Carusa Games (location will be changed)	Shoppers Drug Mart	550 Fennell Ave.	June 2/92	no stats	slow
Catholic Child Aid	Fortino's	801 Mohawk Rd. W.	April 3/92	18 (\$4,226.)	successful
Children's Aid (problem resolved and stricter controls initiated)	The Keg	33 Bowen	April 7/92	14 (\$3,318.)	theft.
Comm. Child Abuse	Oakwood Place	1091 Barton St. E.	Aug. 12/92	no stats	new lottery
Conqueror II	Panama Jack's	Upper Gage	March 23/92	25 (\$5,925.)	successful
Crime Stoppers	Beni's	John St. S.	Aug. 4/92	no stats	new lottery
Diabetes Assoc.	Portino's	Wellington & Mohawk	Aug. 7/92	14 (\$3,318.)	successful
Family Services	Westown Bar & Grill	Locke St.	July 3/92	14 (\$3,318.)	successful
Firefighters Drum	Cross Roads	Beside Delta Bingo	June 1/92	no stats	

NEVADA TICKETS - 3RD PARTY LOCATIONS

CHARITY	2RD PARTY	ADDRESS	STARTING DATE	TIXES SOLD	COMMENT
Good Shepherd Centre	Fortino's	Dundurn	Apr. 9/92	9 (\$2,133.)	successful
Good Shepherd M. P. M. (problem is being addressed and stricter controls initiated) Gourley Park	Fortino's James McDonald Schl	Mall Road Chestley St.	Apr. 9/92 May 25/92	16 (\$3,792.) start up date: Sept 1992	theft
Ham. East Kivania (forced to get new location; Giant Tiger will no longer sell these tickets) Hamilton Minor Ft.	Giant Tiger Fortino's	Ottawa St. 981 Upper Ottawa St.	Apr. 1/92 Apr. 6/92	15 (\$3,555.) 24 (\$5,688.)	successful successful
Hamilton Huskies	Bronzies	201 James St. S.	Apr. 28/92	24 (\$5,688.)	successful
Head Injury	Hugs and Jugs	Limeridge Rd.	Apr. 2/92	16 (\$3,792.)	successful
Heart and Stroke (problem resolved; stricter controls initiated) Hope Haven	Fortino's Bus Terminal	Eastgate Sq. Rebecca	May 26/92 July 2/92	10 (\$2,370.) 4 (\$948.)	theft theft
(problem is being resolved; stricter controls initiated) Kidney Foundation (problem resolved; stricter controls initiated) Klity Bees	Dabber Hut Rays Boat House	King St. Dundurn St.	July 9/92 May 7/92	40 (\$9,480.) 13 (\$3,081.)	theft successful
Kinsmen (forced to change location; Cigar Store no longer wants to sell these tickets.) Little Brothers	Cigar Store Fortino's	Centre Mall 310 Limeridge W.	May 29/92 April 9/92	60 (\$14,220.) 16 (\$3,792.)	successful successful
Lung Assoc.	Variety Store	634 Parkdale N.	Apr. 7/92	4 (\$948.)	successful
March of Dimes (charity has cancelled this lottery scheme for now) Multiple Sclerosis	Fortino's R. Place Tavern	399 Greenhill 172 Beach Rd.	Apr. 13/92 June 18/92	20 (\$4,730.) 6 (\$1,422.)	theft slow

NEVADA TICKETS - 3RD PARTY LOCATION

CHARITY	3RD PARTY	ADDRESS	STARTING DATE	BOXES SOLD	COMMENTS
Navy League	Cagney's	Upper Gage	Aug. 10/92	no stats	new lottery
Muscular Dystrophy (cigar store no longer wishes to sell these tickets)	United Cigar Store	Eastgate Mall	Mar. 15/92	no stats	must move
Neigh. to Neigh.	Agresta's	10 Young St.	Aug. 12/92	no stats	new lottery
Optimist Club	Clancy's	45 Goderich Rd.	May 28/92	32 (\$7,529.)	successful
Ridge Raiders	Frisko's	Upper James	July 16/92	13 (\$3,081.)	successful
Rotary Club A. M.	Beni's	1187 Upper James	May 7/92	no stats	
Ryglal Home	Chap's	Westdale	July 23/92	6 (\$1,422.)	successful
S.P.C.A.	Peddles	Barton St.	Aug. 15/92	5 (\$1,185.)	new lottery
Steel City Wheelers	Gold Door Variety	125 Gallmont	July 30/92	no stats	new lottery
Stroke Recovery	Front Page Coffee	Westcliffe Mall	Aug. 6/92	no stats	new lottery
Temple Anshe Shalom	Lottery Kiosk	Queenston Mall	Mar. 16/92	20 (\$4,740.)	successful
Volunteer Centre	Prince Edward Hotel	737 Barton St. E.	Aug. 7/92	no stats	new lottery
Went. Fig. Skating	O'Tooles	Queenston Rd.	Aug. 6/92	32 (\$7,592.)	new lottery
West Mount. Baseball	Matt's Sports Cafe	870 Upper James	June 24/92	18 (\$4,266.)	successful
YMCA - Harriers (cancelled; too much work for the restaurant staff	Harry's Roadhouse	Cannon St. E.	Aug. 4/92	12 (\$2,844)	completed
TOTAL:				\$159,890	

APPLICATION FORM
FOR APPOINTMENT TO
CITY OF HAMILTON BOARD, COMMITTEE OR COMMISSION

Please complete the Application Form and include a resume of qualifications, work experience and any additional Community involvement.

The City of Hamilton encourages all residents of the City of Hamilton to apply for membership on City Committees/Local Boards/Commissions. The Finance and Administration Committee approved the appointment of a Sub-Committee in March 1990, to receive and review the Visible Minority Survey of Boards and Commissions. As a result of this, an Advisory Committee was established. Its mandate is:

- to initiate publicity on Municipal Government, Committees/Boards/Commissions ensuring equal opportunity for all Citizens;
- to track the flow of applications; and,
- to undertake a variety of Public Education Activities to Broaden the Understanding of the Function of Committees/Boards/Commission.

Your co-operation is required in filling out the attached Tracking Form. This information is for statistical purposes only and will help the Advisory Committee determine how successful the existing outreach program is, and will assist in identifying any changes needed to promote fair appointment practices in the future.

The completion of the attached Tracking Form is voluntary and information obtained from this Form will be kept strictly confidential.

/Attached

APPLICATION FORM

1992 September 29

1. Application for appointment to: _____
(please specify Committee/Board/Commission of interest - ~~maximum~~ of three)
2. Name: _____
3. Home Address: _____

4. Telephone Number (s): Home: _____
Work: _____
5. Please state why you are interested in serving on this Committee/Board/Commission and what do you feel you can contribute? Please list related experience and/or interests.

6. How did you learn about this position?
 - i. _____ Newspaper (please specify)

 - ii. _____ Community Organization
 - iii. _____ Brochure
 - iv. _____ Radio/Television (please specify
which program)
 - v. _____ Word of Mouth
 - vi. _____ Other (please specify)

1992 September 29

7. Additional Information:

Signature

Date

APPLICANTS ARE ENCOURAGED TO SUBMIT A RESUME

Your resume should not refer to any prohibited grounds of discrimination, i.e. race, ancestry, place of origin, citizenship, creed, sex, sexual orientation, age, colour, ethnic origin, record of offences, marital status, family status or handicap.

PLEASE RETURN TO: City Clerk
Hamilton City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

TRACKING FORM

Information requested on this form is gathered under Section 13 of the Ontario Human Rights Code.

Do you wish to complete this form?

Yes: _____ (please continue)

No: _____

PLEASE COMPLETE EACH SECTION:

1. Are you: Female _____

Male _____

2. Are you a Native person (North American Indian, Status or Non-Status, Metis, Inuit)?

Yes: _____

No: _____

3. Are you a member of a Visible Minority? (This refers to Race/Colour)

No: _____

Yes: _____ (please specify)

Black _____
(African, American
Canadian)

East Asian _____
(Korean, Japanese, Chinese)

South Asian _____
(Indian, Pakistani)

South East Asian _____
(Cambodian, Filipino, Vietnamese)

West Asian _____
(Arab, Armenian, Egyptian, etc.)

Central/South American _____

Caribbean _____
(Cuban, Jamaican, Trinidadian,
Haitian)

White _____ Other _____

4. Disability

For the purposes of employment equity, disability is defined as a long term physical, emotional/psychiatric or learning disability that may place a person at a disadvantage or that may interfere with work or personal activities.

Given this definition, do you consider yourself disabled?

No _____

Yes _____ (please specify)

Blind/visually impaired _____

Deaf/hearing impaired _____

Mobility impaired _____

Psychiatric _____

Emotional or learning disability _____

Developmentally impaired _____

Other _____

Information requested on this form is gathered under Section 13 of the Ontario Human Rights Code and has been approved by the Ontario Human Rights Commission, Sept. 1991

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINETEENTH** Report for 1992 and respectfully recommends:

1. That Mr. George Baker's contract as Fire Chief be renewed for a five-year period commencing 1992 December 31, under the terms and conditions as set out in the employment contract.
2. That the City of Hamilton resolve Ontario Court (General Division) Action No. 31853/91 on the following basis:
 - (a) That the City of Hamilton pay to the Plaintiff, Barbara Raphael, the sum of \$3,000. inclusive of all damages, interest, costs, and disbursements.
 - (b) That the Plaintiff execute a Full and Final Release in a form satisfactory to the City Solicitor.
 - (c) That the action be dismissed without costs.
3. That the City of Hamilton decline to accept the Plaintiffs', Nolan and Nolan, Offer of Settlement for Ontario Court (General Division) Action No. 22934/90.
4.
 - (a) That the City of Hamilton settle Ontario Court of Justice (General Division) Action No. 25559/91 by the payment of \$1,500. to the Plaintiff, Anna Marie Swist, inclusive of all damages, interest and costs.
 - (b) That Anna Marie Swist be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the Law Department.
 - (c) That Ontario Court of Justice (General Division) Action 25559/91 be dismissed, as against the City of Hamilton, without costs.

5.
 - (a) That the City of Hamilton settle Ontario Court of Justice (General Division) Action No. 92-Cu-45083 by the payment of \$9,372.65, inclusive of damages, interest and costs to the Plaintiff, Unitel Communications Incorporated.
 - (b) That the Plaintiff provide a Release satisfactory to the City Solicitor and that Ontario Court of Justice (General Division) Action No. 92-Cu-45083 be dismissed as against the City of Hamilton without costs.
6.
 - (a) That the City of Hamilton decline to accept the Plaintiff's Offer to Settle Ontario Court (General Division) Action No. 18649/90 dated 1992 January 13.
 - (b) That the City of Hamilton make an Offer to Settle in Ontario Court (General Division) Action No. 18649/90 in the following terms:
 - (i) That the City offer to pay the amount of \$6,800. inclusive of all damages, interest and costs;
 - (ii) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the Law Department;
 - (iii) That Ontario Court (General Division) Action No. 18649/90 be dismissed, as against the Corporation of the City of Hamilton; and
 - (iv) That this offer remain open for acceptance until withdrawn or until the commencement of trial whichever first occurs.
7. That the City of Hamilton settle Ontario Court (General Division) Action Nos. 10642/90 on the following terms:
 - (a) That the general damage claims on behalf of Peter Duguay, in Ontario Court (General Division) Action Nos. 10642/90 and 10643/90, be assessed at \$17,500., including the Family Law Act Claim of Marilyn Duguay;
 - (b) That the wage losses of the Plaintiff, Peter Duguay, in Action No. 10642/90 be assessed in the amount of \$3,184.20;

- (c) That the City of Hamilton pay general damages in the amount of \$4,375., plus prejudgment interest in the amount of \$1,644.27 on the City's share of general damages, the wage losses of the Plaintiff listed in (b), and further pay the plaintiffs their party and party costs agreed in the amount of \$1,480.77 including GST, and special damages of \$597.14. (Total payment of \$11,281.38.)
 - (d) That the Plaintiff be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the Law Department, and dismiss the action as against the City without costs.
- 8.
- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 8343/87 by making a contribution of \$3,000. toward the payment to the Plaintiff, Elza Gulbis, of the sum of \$18,216.50 inclusive of all damages, interest and costs, with the balance to be paid by the co-defendant.
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the Law Department.
 - (c) That Ontario Court (General Division) Action No. 8343/87 and any and all cross-claims shall be dismissed without costs.
- 9.
- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 24102/91 by the payment to the Plaintiff, Leslie Pasis of the sum of \$10,581.27 inclusive of all damages, interest and costs.
 - (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department.
 - (c) That Ontario Court (General Division) Action No. 24102/91 and any and all cross-claims shall be dismissed without costs.
- 10.
- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 16290/89 by the payment to the Plaintiff, Natasha Lyle of the sum of \$2,290. inclusive of all damages, interest and costs.

- (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department.
 - (c) That the Plaintiffs obtain a Judge's Order from the Ontario Court (General Division) approving the infant settlement in respect of Action No. 16290/89.
 - 11. That Lori Peddle be appointed to the Canadian Football Hall of Fame for a term to expire 1994 November 30.
 - 12. That a limit of two (2) applications be allowed for persons applying for appointments to Committees/Boards/Commissions.
 - 13. For the information of the members of City Council, the Finance and Administration Committee have appointed Lillian Vine to the French Sub-Committee for a term to expire 1994 November 30.
 - 14. (a) That City Council request an emergency meeting of all area M.P.'s and M.P.P.'s, to meet with City Council in order to discuss the current economic problems in our community;
 - (b) That City Council form a Mayor's Task Force on the economy and that this Task Force report back to City Council within ninety days with specific recommendations for short term and long term initiatives to revitalize the economy of Hamilton and surrounding areas;
 - (c) That this Task Force be comprised of Business Leaders, Union Leaders and Citizen Members and, that Mayor Morrow be Chairman of this Task Force.
- ADDED AND CARRIED.**

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 September 29**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Committee of the Whole presents its **FOURTH** Report for 1992 and respectfully recommends:

1. That in order to establish appropriate base allocations in the 1992 Current Budget, the 1992 Budget Adjustment in the amount of \$111,000 (which was approved by City Council during the 1992 budget deliberations on 1992 March 27) be financed by:
 - (a) reducing the revenue estimate by \$100,000 to zero for account number CH 44112 70905, Rental - Stadium - Tiger Cats;
 - (b) reducing the expenditure estimate by \$300,000 to zero for centre number CH 24105, Hamilton Tiger Cats;
 - (c) offsetting the expenditure estimate by \$111,000 to zero for account number CH 55272 24001, Budget Adjustment;
 - (d) establishing an expenditure estimate in the amount of \$89,000 for account number CH 5008 24120, as Contingency and,
2. That the timetable attached as Appendix "A" for the 1993 Current Budget and 1993-2002 Capital Budget be approved.

Respectfully submitted,

**MAYOR R. M. MORROW, CHAIRPERSON
COMMITTEE OF THE WHOLE**

John Thompson
Secretary
1992 September 25

1992 September 29

1993 Current And Capital Budget Timetable

SEPTEMBER 25

COMMITTEE OF THE WHOLE MEETING

Management Team presents policies/guidelines
and a macro '93-'95 Current Budget forecast

LATE OCTOBER

COMMITTEE OF THE WHOLE MEETING

Management Team presents update
of 1993 Current Budget forecast
and Capital Budget priorities

NOVEMBER 2-5

Standing Committee consideration
of Capital Projects

LATE NOVEMBER

COMMITTEE OF THE WHOLE MEETING

Overview of Current/Capital Budgets
to prepare for public meeting

1992 September 29

1993 Current And Capital Budget Timetable

DECEMBER 2 EVENING PUBLIC MEETING

City to discuss budget issues with public

DECEMBER COMMITTEE OF THE WHOLE MEETING

Presentation of Consolidated User fees

JANUARY 29/93

COMMITTEE OF THE WHOLE MEETING

Consideration/approval of 1993-2002 Capital Budget

FEBRUARY 26/93

COMMITTEE OF THE WHOLE MEETING

Consideration/approval of 1993 Current Budget

APRIL 27/93

City Council approves Fin. & Admin. Committee
recommendation on Mill Rate By-Laws

1993 BUDGET TIMETABLE

1992 September 29

CAPITAL

TIMEFRAME

CURRENT

AUGUST

SEPTEMBER

SEPTEMBER 11

MANAGEMENT TEAM ESTABLISHES
POLICIES/GUIDELINES FOR
CAPITAL/CURRENT BUDGETS AND
IDENTIFIES CORPORATE ISSUES

SEPTEMBER 25 COMMITTEE OF THE WHOLE MEETING

MANAGEMENT TEAM PRESENTS
CURRENT/CAPITAL BUDGET
POLICIES/GUIDELINES AND A MACRO
'93-'95 CURRENT BUDGET FORECAST

OCTOBER

LATE OCTOBER COMMITTEE OF THE WHOLE MEETING

MANAGEMENT TEAM PRESENTS UPDATE OF
1993 BUDGETS & CAPITAL BUDGET PRIORITIES

NOVEMBER

LATE NOVEMBER

COMMITTEE OF THE WHOLE
RECEIVES OVERVIEW OF THE
CURRENT AND CAPITAL BUDGETS
TO PREPARE FOR PUBLIC MEETING

AUGUST 1

CALL LETTER Sent Out

SEPTEMBER 18

Submissions Returned
To Treasury

SEPT. 21 - OCT. 16

Treasury Processes
Submissions

OCTOBER 23 - 30

Management Team
Sub-Committee To Review
Projects With Dep't. Heads

NOVEMBER 2 - 5

Standing Committee
Consideration Of Projects

NOVEMBER 2 - 13

Management Team
Sub-Committee Considers
And Recommends
Provisional Capital Budget

NOV.16 - DEC.11

Management Team Reviews
Capital Budget And Ensures
Compliance With Policies/
Guidelines As A Second
Review In Relation To Current
Budget

WEEK OF

SEPTEMBER 28

CALL LETTER Sent Out

OCTOBER 30

Submissions Returned
To Treasury

NOV.2 - 20

Departmental Form 6
Packages Prepared And
Submitted To Treasury/
Management Team Squad

NOV.2 - DEC.4

Treasury Processes
Submissions;
Management Team Squad
Meets To Oversee
Budget Process

1993 BUDGET TIMETABLE

1992 September 29

CAPITAL

TIMEFRAME

CURRENT

NOVEMBER

NOV.9 – 13
Management Team
Reviews Corporate Issues

DECEMBER

DECEMBER 2 EVENING PUBLIC MEETING
CITY TO DISCUSS BUDGET ISSUES
WITH PUBLIC

NOV.31 – DEC.11
Management Team Squad
Reviews Packages With
Department Heads

DECEMBER COMMITTEE OF THE WHOLE
PRESENTATION OF CONSOLIDATED
USER FEES

JANUARY

JANUARY 4 – 15
Management Team
Finalizes And Recommends
1993 – 2002 Capital Budget

JANUARY 4 – 22
Management Team Squad
Reviews And Prioritizes
All Packages

JANUARY 29
Committee Of The Whole
Considers The
1993 – 2002 Capital Budget

FEBRUARY

FEBRUARY 1 – 12
Management Team
Reviews And Finalizes
Current Budget And Makes
Recommendations For
Committee Of The Whole

FEBRUARY 26
Committee Of The Whole
Considers 1993 Current
Budget

APRIL

APRIL 27
City Council Approves
Finance & Administration
Committee Recommendation
On Mill Rate By-Laws

CA4 ON HBL AOS
M21
1992

1992 October 6

URBAN MUNICIPAL
GOV
MENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1992 October 6
7:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor R. M. Morrow
Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman Wm. McCulloch - City Business

The purpose of this meeting was to consider the Report from the Chief Administrative Officer and the Director of Property respecting Caretaking Services at Recreation Centres.

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Fifth Report of the City Council Committee of the Whole be now considered in Committee of the Whole.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Fifth Report of the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Cooke that Bill No. H-63 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider Bill No. H-63.

* * * * *

Consideration of Bill No. H-63 (second reading)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on Bill No. H-63 be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Bill No. H-63 be now read a third time, signed, sealed and enrolled as a by-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:05 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz
City Clerk

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1992 and respectfully recommends:

1. (a) Recognizing that the Hamilton Board of Education is in the midst of a legal labour dispute, that the services of Sunshine Building Maintenance and Alpha Cleaning Services not be retained with an effective date of October 5, 1992;
- (b) That the contracts approved by City Council on June 30, 1992 for the provision of janitorial services by Alpha Cleaning Services and Sunshine Building Maintenance at various recreation centres be awarded effective January 1, 1993 at which time the current arrangement with the Board of Education will be terminated, on the condition that the current strike of the Board of Education caretaking and cleaning staff has ended.
- (c) That the present arrangements between the City of Hamilton and the Board of Education for the provision of janitorial services at eight (8) school attached recreation centres be continued until January 1, 1993.
- (d) That in the event the strike referred to in (b) above has not ended, the commencement date for the award of the contracts will be on a date which is coincident with the Union and the Board of Education ratification of a Collective Agreement, an end to the current strike of caretaking and cleaning staff and a return to work of the affected employees.
- (e) That this resolution be forwarded to the Board of Education for the City of Hamilton.

2. That leave be granted to introduce the following Bill:

(a) Bill H-63: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

**MAYOR R. M. MORROW, CHAIRPERSON
COMMITTEE OF THE WHOLE**

J. J. Schatz, City Clerk
1992 October 6

1992 October 13

Minutes of Hamilton City Council

1992 October 13

7:30 o'clock p.m.

Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico.

Absent: Alderman H. Merling - Vacation

City Council commenced with the playing of the National Anthem.

* * * * *

Pastor Frank Slobodnik of St. Gregory the Great (Slovenian) led Council in prayer.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Jude Johnson, Founder and Director of the Music, Art, Drama (M.A.D.) Creative Art School.

Mayor R. M. Morrow presented a Certificate of Recognition to Bruce Aikman, President of the Hamilton Minor Hockey Council who was chosen the first Canadian winner of the Investors' Group Sports Administrator of the Year.

Mr. Bob Philip presented a pair of sterling silver ceremonial scissors to Mayor R. M. Morrow which had been presented to Lloyd D. Jackson on the occasion of the opening of Greater Hamilton Shopping Centre on 1955 October 26.

* * * * *

Mayor R. M. Morrow proclaimed the following:

- (a) Child Abuse Prevention Month - 1992 October
- (b) Schizophrenia Awareness Month, 1992 October
- (c) Canadian Football Hall of Fame Week for the week of 1992 October 19 - 25.
- (d) Hamilton Public Library Week for the week of October 19 - 25.

* * * * *

The minutes of the meeting held 1992 September 29 and the special meeting held 1992 October 6 were adopted as circulated.

* * * * *

Correspondence:

1. Application dated 1992 October 1 from Citsalp Industrial Plastics Ltd., Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 331 Hunter Street West, Hamilton, Ontario.

Received.

2. Application dated 1992 October 1 from Emilia Fazekas, Angelo Nardi, Quinn Staunitzky, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District for property at 280 Aberdeen Avenue, Hamilton, Ontario.

Received.

3. Application dated 1992 October 1 from Hazell Ross-Iampietro (Clar Del Retirement Home), Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for property located at 195 Delaware Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman **Cooke** and seconded by Alderman **Kiss** that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and the Nominating Committee be now considered in Committee of the Whole with Alderman **Wilson** in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. 16.

NAYS: -0.

CARRIED.

* * * * *

PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT

Section 1. A. (g) Re: Residential Conversion Requirements for (Suburban Residential) "C" District only

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 7 Re: Rental Housing Protection Act Application - 515 Main Street East

It was moved by Alderman Charters and seconded by Alderman Jackson that section 7 of the Seventeenth Report of the Planning and Development Committee be tabled.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TWENTIETH REPORT

Section 8 Re: Comprehensive Audit for Sales Tax Rebates

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 8 of the Twentieth Report for 1992 of the Finance and Administration Committee respecting the appointment of Sales Tax Auditor's be deleted. **CARRIED.**

NOMINATING COMMITTEE - FOURTH REPORT

NOTICE OF MOTION FROM PREVIOUS MEETING

It was moved by Alderman Eisenberger and seconded by Alderman Cooke that City Council support the application of H.E.C.F.I. to the L.L.B.O. for the sale of liquor in the tiered seating area of Copps Coliseum.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Eisenberger. -7.

NAYS: Aldermen Kiss, Morelli, Copps, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -9. **LOST.**

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Report of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-107.

H-64, H-65.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

C-107.

H-64, H-65.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

C-107.

H-64, H-65.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-107.

H-64, H-65.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-107.

H-64, H-65.

1992 October 13

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 October 13

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1992 and respectfully recommends:

1. That the City convey to the abutting owner Julie Serebrianski, 414 Upper Wentworth Street, Part 1, Registered Plan 62R-11955, (former Inverness School site) having a frontage of 0.4 metre (1.31 feet) more or less, along with westerly road limit of Upper Wentworth Street, by a depth of 43.411 metres (142.424 feet) more or less, and comprising a total area of 17.364 square metres (186.91 square feet) more or less, for \$1.00 to be credited to Account No. CH5X303 00102 (Reserve for Property Purchases), as this remnant land is surplus to municipal requirements and not suitable for development.
2. That actions taken under Emergency Purchasing Policy be ratified and a purchase order be issued to Italia Design Collection, Toronto, in the amount of \$96,308. plus applicable taxes, for the supply, delivery and installation of furniture at Sackville Hill Seniors' Recreation Centre, being the lowest acceptable of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
3.
 - (a) That action taken under the Emergency Purchasing Policy be ratified and a purchase order be issued to Lordly Jones, division of Danbury Sales Ltd., Hamilton, in the amount of \$55,761. plus applicable taxes, for the supply, delivery and installation of lounge and office furniture at Sackville Hill Seniors' Recreation Centre, being the lowest acceptable of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
 - (b) That the purchase order issued to Lordly Jones, division of Danbury Sales Ltd., Hamilton, under sub-section (a) above, be increased by \$11,727. for a total purchase order of \$67,488., plus applicable taxes.

4. (a) That the City of Hamilton assist the Kinsmen Club and the Hamilton Conservation Authority by funding \$10,000. on an interim basis until 1993, if the Conservation Authority is unable to finance the \$10,000. on an interim basis.
- (b) That the Finance and Administration Committee recommend the method of financing.
- (c) That the Hamilton Conservation Authority be requested to relocate the location of the creative playground equipment as suggested by the Ministry of Tourism and Recreation so that it serves a community need and thereby can be considered eligible for provincial subsidy.
- (d) That the Hamilton Conservation Authority reimburse the City of Hamilton \$10,000. after the subsidy is received by the Province of Ontario.
- (e) That, upon approval, the City Clerk forward this resolution to the Hamilton Conservation Authority.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1992 October 6

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTEENTH** Report for 1992 and respectfully recommends:

1. A. That approval be given to City Initiative 91-G, for a general text amendment to Zoning By-law No. 6593, to implement the "Housing Intensification Strategy" respecting residential conversions, as adopted by City Council on 1991 June 25 on the following basis:

- (a) That Section 2.(2)A.(iv) of Zoning By-law No. 6593 be deleted in its entirety;
- (b) That Section 7A(1)(a) of Zoning By-law No. 6593 be amended by deleting "(ii)," so that the clause shall read as follows:

"as provided in clauses 8(1)(i) and (iia);"

- (c) That the following subclauses of Zoning By-law No. 6593 be deleted in their entirety:
 - (i) Section 8(1)(ii);
 - (ii) Section 9.(1)(ii);
 - (iii) Section 10.(1)(iv);
 - (iv) Section 10A(1)(iii);
 - (v) Section 10B(1)(iv);
 - (vi) Section 10C(1)(iv);
 - (vii) Section 11.(1)(ii); and,
 - (viii) Section 11B(1)(iv);

- (d) That Section 10A(3)(ii)(a) of Zoning By-law No. 6593 be amended by deleting "or converted dwelling" so that the clause shall read as follows:

"for a single-family dwelling as permitted in a "C" District, a side yard along each side lot line of a width of at least 1.2 metres (3.94 feet);"

- (e) That Section 10A(3)(ii)(b) of Zoning By-law No. 6593 be amended by adding "or" between the words "dwellings, a" in the second line and deleting "or a converted dwelling" in the third line so that the clause shall read as follows:

"for a two family dwelling except a pair of semi-detached single family dwellings, or a three-family dwelling, a side yard along one side lot line of a width of at least 3 metres (9.84 feet),....."

- (f) That Sections 14(1a), (1b) and (1c) of Zoning By-law No. 6593 be deleted in their entirety;
- (g) That Section 19 of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following:

"Section 19 - Residential Conversion Requirements

19(1) "AA", "B", "B-1", "B-2", "C", "D" and "R-2" Districts

Notwithstanding anything contained in this By-law, any single-family detached dwelling in an "AA" (Agricultural), "B" (Suburban Agriculture and Residential, etc.), "B-1" (Suburban Agriculture and Residential, etc.), "B-2" (Suburban Residential), "C" (Urban Protected Residential, etc.), "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) and "R-2" (Urban Protected Residential - One and Two-Family Dwellings) Districts may be converted to contain not more than two dwelling units, provided all the following requirements are complied with:

Recorded vote on Section 1 A. (g) as it relates to (Suburban Residential), "C" District only

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross.
- 15.

NAYS: Alderman Kiss. -1.

CARRIED.

- (i) each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1 m (6.9 ft.), but excluding the area of the cellar, if any, and of any porch, verandah or other such space which cannot lawfully be used as living quarters;
- (ii) the applicable zoning district regulations for a single-family detached dwelling shall apply, except the minimum lot area shall be 270 m²;
- (iii) except as permitted in clause iv), the external appearance and character of the dwelling shall be preserved;
- (iv) there shall be no outside stairway other than an exterior exit;
- (v) parking spaces, access driveways and manoeuvring space shall be provided in accordance with Section 18A, except that parking for only one of the dwelling units may be provided in accordance with the following special provisions:

Location

- (1) it may be located in a required front yard provided that the required area for parking shall not occupy more than 50% of the gross area of the front yard;
- (2) not less than 50% of the gross area of the front yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials; and,
- (3) manoeuvring for the parking space may be permitted off-site.

19(2) "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts

Notwithstanding anything contained in this By-law, any dwelling in a "DE" (Low Density Multiple Dwellings), "DE-2" (Multiple Dwellings), "DE-3" (Multiple Dwellings), "E" (Multiple Dwellings, Lodges, Clubs, etc.), "E-1" (Multiple Dwellings, Lodges, Clubs, etc.), "E-2" (Multiple Dwellings) and "E-3" (High Density Multiple Dwellings) Districts may be converted to provide two dwelling units or more, provided all the following requirements are complied with:

- (i) each dwelling unit has a floor area of at least 65 square metres (699.65 square feet), contained within the unit and having a minimum clear height of 2.1 m (6.9 ft.), but excluding the area of the cellar, if any, and of any porch, verandah or other such space which cannot lawfully be used as living quarters;
- (ii) except as permitted in clause iii), the external appearance and character of the dwelling shall be preserved;
- (iii) there shall be no outside stairway other than an exterior exit;
- (iv) the yard requirements of the applicable zoning district in which the residential building is located shall apply to any extensions or enlargements;
- (v) the following lot area requirements shall apply:
 - (1) a minimum lot area of 270 m² shall be provided and maintained for one to three dwelling units;
 - (2) a minimum lot area of 450 m², but not less than 65 m² of lot area per dwelling unit, shall be provided and maintained for more than three dwelling units;

- (vi) parking spaces, access driveways and manoeuvring space shall be provided in accordance with Section 18A, except that parking for only one of the dwelling units may be provided in accordance with the following special provisions:

Location

- (1) it may be located in a required front yard provided that the required area for parking shall not occupy more than 50% of the gross area of the front yard;
- (2) not less than 50% of the gross area of the front yard shall used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials; and,
- (3) manoeuvring for the parking space may be permitted off-site.

19(3)

"H" Districts

- (i) Notwithstanding any other provisions of this by-law, any building or part thereof, existing on the 8th day of March, 1983 within a "H" (Community Shopping and Commercial, etc.) District, may be converted to contain not more than ten dwelling units;
- (ii) The average of the floor areas, of all dwelling units referred to in clause i), shall be at least 65 square metres in area;
- (iii) Every building converted in accordance with clause i) shall either:
 - (1) be situate on a lot having a minimum radial separation distance of 180.0 metres from the lot line to the lot line of any other lot occupied or as may be occupied by a building converted or as maybe converted in accordance with clause i); or,

- (2) maintain the ground floor for commercial uses and provide parking in accordance with the provisions of Section 18A.
- (h) That Section 18A(14) of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following:
 - "18A.(14a) Except for single-family dwellings and two-family dwellings erected prior to the 14th day of December 1971, no part of a required parking area in a residential district shall be located in a front yard.
 - (14b) For single-family dwellings and two-family dwellings erected prior to the 14th day of December 1971, required parking may be provided and maintained in the front yard provided that:
 - (i) the required area for parking shall not occupy more than 50% of the gross area of the front yard; and,
 - (ii) not less than 50% of the gross area of the front yard shall used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials."
 - (i) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
 - (j) That the proposed changes to the Zoning By-law are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the Transport and Environment Committee and the Transportation Services Committee be requested to amend their respective By-laws to require a minimum of 50% of the area used for residential boulevard parking be provided and maintained as a landscaped area.
- 2.
 - (a) That the Urban Design Committee be circulated on major future municipal initiated projects dealing with Urban design matters in order to review and comment on terms of reference for projects; and
 - (b) That this be forwarded to Committees of Council and City departments

3. That Hamilton City Council direct the Mayor to write to the Minister of Housing requesting the Provincial Government provide additional funding for the Ontario Home Renewal Programme - Disabled for the current fiscal year ending 1993 March 31.
4. That approval be given to Zoning Application 92-28, Alexander Stoller and Enzo Didiodato, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of four (4) lots for single-family dwellings, for the property located at 255 Rymal Road East, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-18D for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
5.
 - (a) That approval be given to Official Plan Amendment No. 119 to establish a Special Policy Area to limit the types of Commercial uses and to ensure development is in keeping with the character of the existing buildings in the area, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
 - (b) That approval be given to Zoning Application 92-10, John Foss, owner, requesting a modification to the "E-3" (High Density Multiple Dwellings) District to permit limited commercial uses, for the property located at 113 Charles Street, as shown the attached map marked as Appendix "B", on the following basis:
 - (i) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

- (1) That notwithstanding Section 11C(1) of By-law No. 6593, the following commercial uses shall be permitted:
 - (a) professional and medical offices;
 - (b) art gallery;
 - (c) bookstore;
 - (d) opticians' offices;
 - (e) optometrists' establishments; and,
 - (f) photographer's or artist's studio;
- (2) That notwithstanding Section 11C(1) of By-law No. 6593, the following accessory use to the commercial uses referred to in subclause a), shall be permitted:
 - (a) One business identification sign that is a ground sign, wall sign or projecting sign that complies with all of the following requirements;
 - (i) The area of the sign shall not exceed 0.4 m²;
 - (ii) The sign shall be non-illuminated or illuminated by non-flashing, indirect, or interior means only;
 - (iii) No sign shall be situated less than 1.2 m from the nearest street line;
- (3) That notwithstanding Section 11C(1a) of By-law No. 6593, the height of a building or structure shall not exceed two (2) storeys, or 9.1 m (30.0') in height;
- (4) That notwithstanding Section 11C(2) of By-law No. 6593, the following yards shall be provided and maintained:
 - (a) a front yard of a depth of at least 3.0 m (9.84');
 - (b) a side yard along each side lot line, of a width of at least 1.2 m (3.94');
 - (c) a rear yard of a depth of at least 7.5 m (24.61');

- (5) That notwithstanding Section 18A, no required parking and no non-required parking shall be permitted in the front yard;
 - (6) The outside display of goods or wares shall be prohibited for the commercial uses;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1288, and that the subject lands on Zoning District Map W-5 be notated S-1288;
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
 - (iv) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 119 by the Regional Municipality of Hamilton-Wentworth; and,
 - (v) That the approved Durand Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Commercial and Apartments".
6. A. That approval be given to Official Plan Amendment No. 118 to delete the lands from Special Policy Area 48 and to establish a new Special Policy Area to limit the types of Commercial uses, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to Zoning Application 92-16, Landawn Shopping Centres (National) Limited, owner, requesting a further modification in zoning to the "HH" (Restricted Community Shopping and Commercial) District modified, to permit the construction of a one storey, commercial retail complex, for the lands located at 350 Centennial Parkway North, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That By-law No. 90-29 be repealed in its entirety;
 - (b) That the subject lands be rezoned from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District;

- (c) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, as amended by By-law No. 90-29, applicable to the subject lands, be further modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14A(1), only the following commercial uses shall be permitted:
 - (1) Gas Bar;
 - (2) Building Supply Store (Lumber Yard);
 - (3) Restaurant;
 - (4) Bank;
 - (5) Lawn and Garden Centre;
 - (6) Retail Store;
 - (7) Wholesale Establishment;
 - (8) Shoe Repair Shop;
 - (9) Barbershop, hairdressing establishment or beauty parlour; and,
 - (10) Signs in accordance with the "HH" District provisions.
 - (ii) That notwithstanding Section 14A, outside storage used in conjunction with a permitted use shall be permitted subject to the following:
 - (1) A visual barrier not less than 1.5 m and not more than 2.0 m in height shall be provided and maintained along the westerly boundary and 20 m along the southerly boundary contiguous to the westerly boundary.
 - (2) The total area of the outside storage shall not exceed 15% of the total lot area.
 - (iii) A maximum gross floor area of 12,077 m² (130,000 S.F.) shall be permitted;
 - (iv) That a minimum 3.0 m wide landscape strip shall be provided and maintained along the lot line adjoining Centennial Parkway, except for any area used for access driveway(s).
 - (v) That notwithstanding Section 14A(3)(b) a sideyard having a width of at least 30.0 m shall be provided and maintained along the northerly lot line;

- (vi) That a chain-link fence not less than 1.8 m in height shall be provided and maintained along the northerly property line.
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1155a, and that the subject lands on Zoning District Map E-113 be notated S-1155a;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-113 for presentation to City Council;
 - (f) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 118 by the Regional Municipality of Hamilton-Wentworth.
7. A. That approval be given to Rental Housing Protection Act Application CD-92-001, Oswald Delkus, principal of registered owner, 542052 Ontario Limited, for conversion of 21 rental residential units to 21 residential condominium units at 515 Main Street East, Hamilton, as the proposed development will not adversely affect the supply of affordable rental housing in Hamilton, provided the owner fulfills the following conditions:
- (a) That the applicant offer to the remaining tenants in the three bedroom unit known as Apartment No. 3, namely Mr. Robert Balansche and Mrs. Ruth Balansche, the opportunity to continue renting their unit for as long as they wish, at the rent rate now paid, namely \$357.00 per month, provided that such rent shall not be increased by reason of the alterations to convert the building to a condominium, but that the rent may be increased as otherwise permitted at law;
 - (b) That the applicant also offer the present tenants, namely Mr. and Mrs. Balansche, the option to purchase their unit, Apartment No. 3, within three years of registration of the new condominium, at a price to be negotiated not in excess of \$55,000.00 (fifty-five thousand dollars); and,
 - (c) That the owner agree to cause the new condominium corporation to enter into an agreement with the City to assume these obligations;

- (d) That the applicant be requested to prepare an Approval Agreement incorporating the conditions of approval, in a form satisfactory to the Director of Local Planning and the City Solicitor. This Agreement is to be executed by the Mayor and City Clerk.

- B. That the City Clerk execute the Certificate of Approval in a form satisfactory to the City Solicitor, pursuant to Section 13(8) of the Rental Housing Protection Act, 1989 after the owner's Agreement incorporating the conditions of approval has been registered on title to 515 Main Street East by the owner.

TABLED.

8. (a) That a Lease with Philip Enterprises Inc., for the rental of the vacant lots at 391, 393, 397, 399 and 401 Sherman Avenue North, and 17, 19, 21, 23, 25, 27, 29 and 31 Gerrard Street, comprising of a total area of 2,376.2 square metres (25,579 square feet) more or less, commencing on 1992 November 1 on a month to month basis, at a rental rate of \$640 per month plus realty taxes estimated at \$6,323 for 1992, be approved and completed, and rental proceeds be credited to Account Number CF 4501 308750001 (Rental Fees Enclave Clearance Program).
- (b) That Philip Enterprises Inc. shall agree to insure the City for an amount of liability not less than the sum of \$2,000,000 with the insurance policy to include a cross liability clause.
- (c) That Philip Enterprises Inc. shall at its own expense undertake to gravel the leased property, creating a stable base upon which the parking of trucks is possible, and to construct driveway ramps along the northerly and westerly limits of the leased property.
- (d) That Philip Enterprises Inc. shall be responsible for the repair of any damage to the sidewalks abutting the leased property that arises as a result of truck traffic gaining ingress and egress to and from the leased premises.
- (e) That Philip Enterprises Inc. shall at its own costs be solely responsible for the removal and disposal of any and all materials that are deposited on the leased premises during the term of the lease as a result of Philip Enterprises Inc. use of the property.
- (f) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

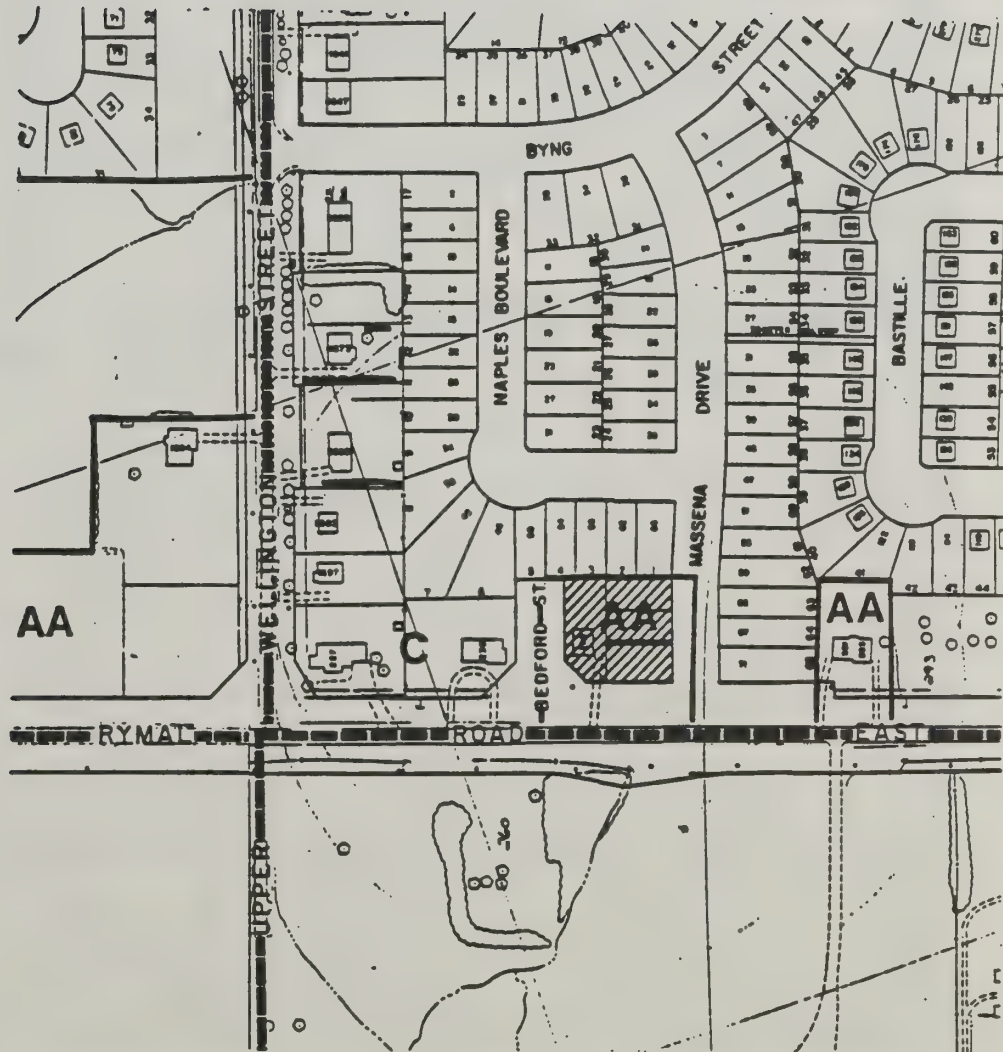
9. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 36 Cliff Avenue
 - (b) 127-129 Bay Street North
10. That a Commercial Facade Loan in the amount of ten thousand, six hundred and forty seven dollars (\$10,647) be approved for Greta Munt, 252 Ottawa Street North, Hamilton. The interest rate will be 3 1/8 percent, amortized over 10 years.
11. That leave be granted to introduce the following Bills:
 - (a) Bill C-107 A By-law to establish Site Plan Control respecting land located at Municipal Nos. 125 Napier Street and 55 Queen Street North

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 October 7

Appendix "A" referred to in
Section 4 of the Seventeenth
Report of the Planning and
Development Committee for 1992



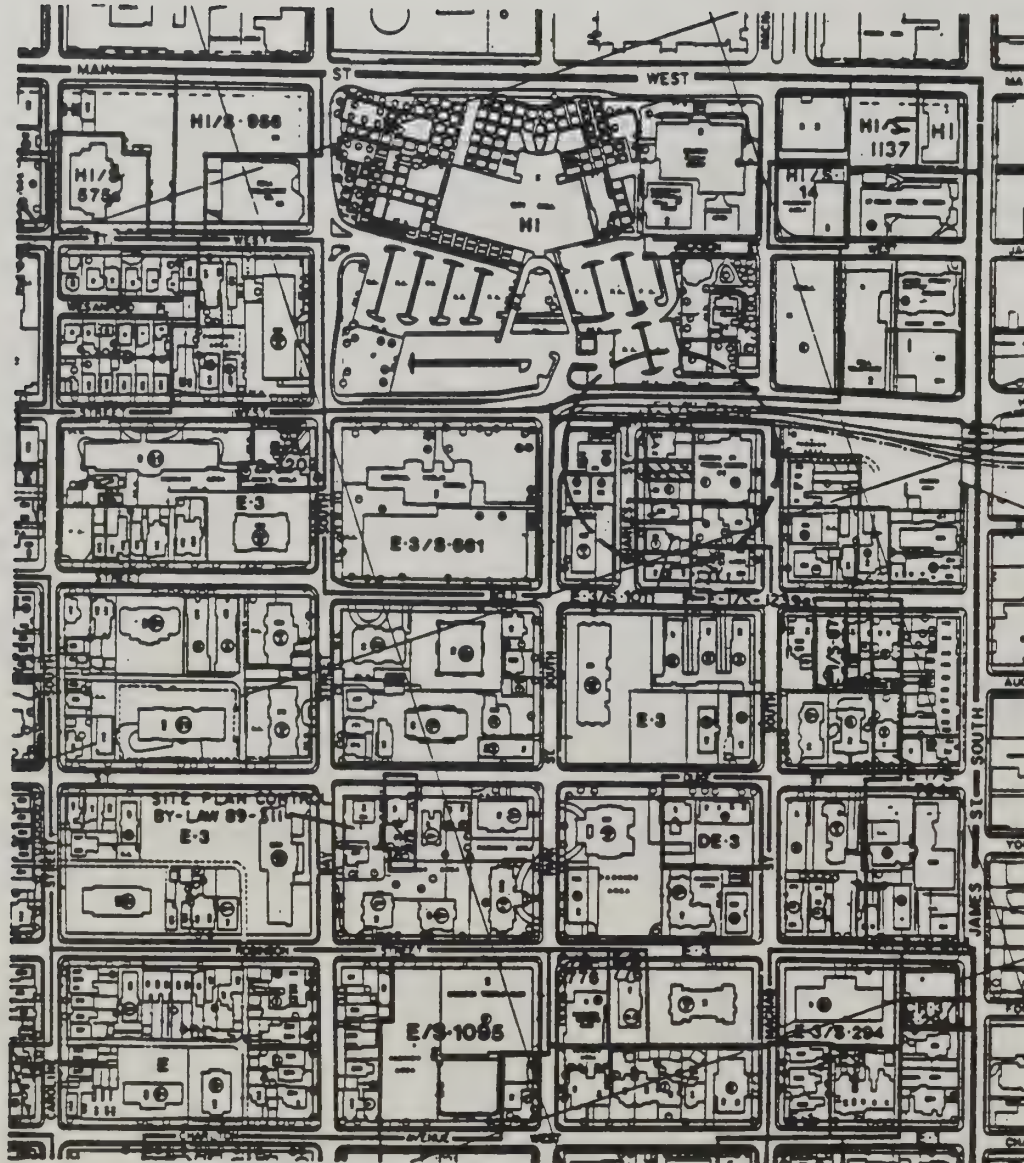
Legend



Site of the Application



Appendix "B" referred to in
Section 5(b) of the Seventeenth
Report of the Planning and
Development Committee for 1992



Legend

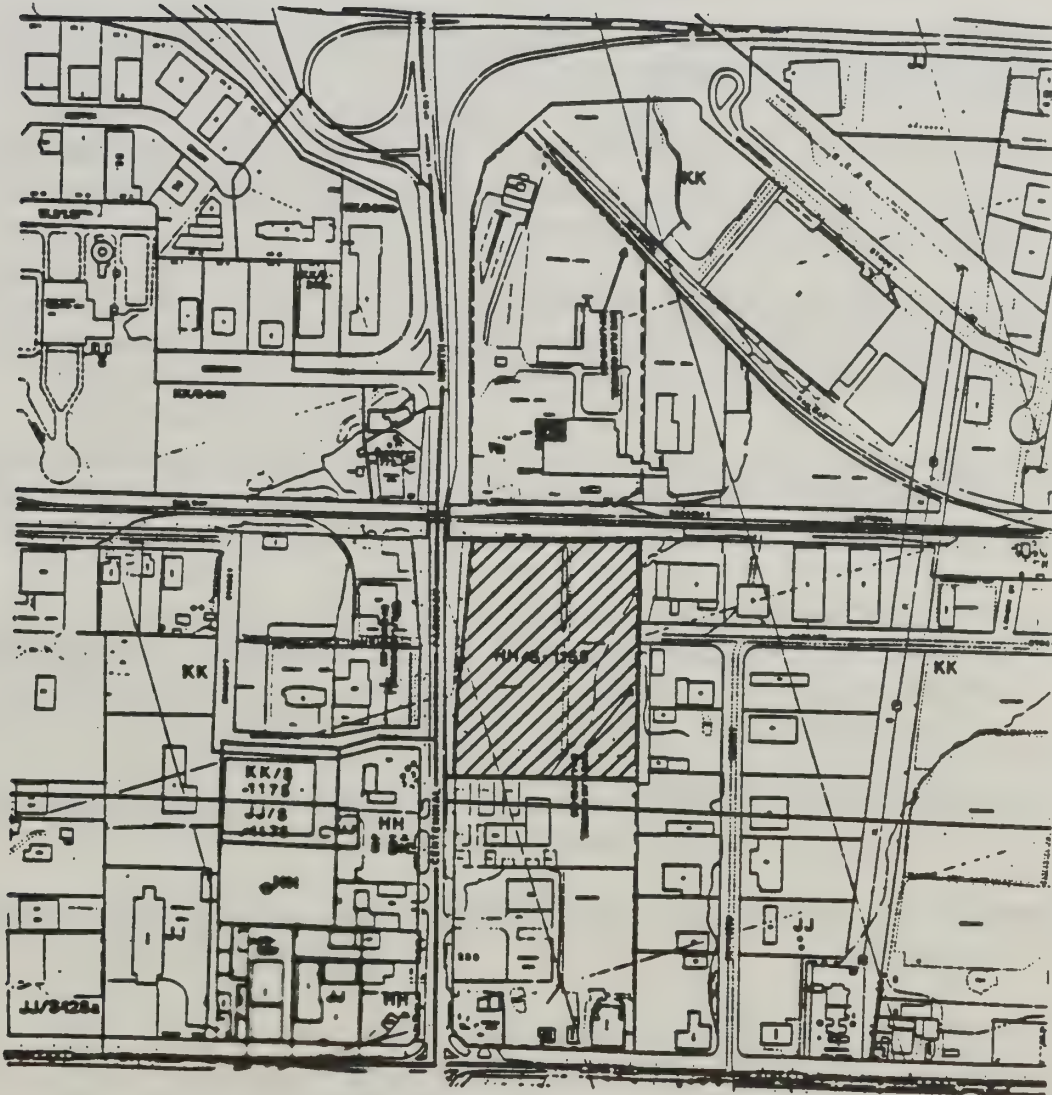


Site of the Application




ZA-82-10

Appendix "C" referred to in
Section 6B of the Seventeenth
Report of the Planning and
Development Committee for 1992



Legend

 Site of the Application

24-02-10

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTIETH** Report for 1992 and respectfully recommends:

1. That the City Treasurer be authorized to establish the necessary procedures in order to receive donations and issue municipal income tax receipts in support of the Paddy Cline\Claude Saunders Leander Boat Club Trust Fund.
2.
 - (a) That approval be given for the hosting of an Edmund C. Bovey Clinic and Ontario Regional Meeting to be held in the Council Chambers, City Hall, on 1992 November 21 and 22; and
 - (b) That approval be given for a City contribution from the Special Civic Receptions and Delegation Hostings Account CH 55314 84010 for hosting purposes in the amount of \$3,000.
3.
 - (a) That the City of Hamilton petition the Province of Ontario to consider adopting a Land Tax Deferral Program, similar to the program used by the City of Vancouver, in order to provide relief for those taxpayers experiencing financial difficulties, while still maintaining municipalities' necessary operating funds; and
 - (b) That the Information report from the Treasurer dated 1992 September 18th be forwarded with the request to the Province; and
 - (c) That the Association of Municipalities of Ontario be requested to support this petitioning.
4.
 - (a) That approval be given for the Lung Association of Hamilton-Wentworth to fly the Lung Association flag for one month to promote the Lung Association Christmas Seal Campaign; and
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.

5. That the request of the Mayor's Race Relations Committee to use the Council Chambers to host a visit from the Assistant Deputy Minister of Citizenship, Ann Marie Stewart, on Wednesday, 1992 October 14 from 7:00 p.m. until approximately 10:00 p.m. be approved.
6. That approval be given to the Canada Employment and Immigration Union, Women's Branch, to use City meeting room numbers 233 and 264 for the purpose of a seminar/workshop presentation on "Violence Against Women" and the provision of daycare on Saturday, 1992 October 24 from 9:00 a.m. - 4:30 p.m. and Sunday, 1992 October 25 from 9:00 a.m. - 2:00 p.m.
7. (a) That a purchase order be issued to Armour Riley Inc., Risk Management Consultants, 6725 Airport Road, Suite 702, Mississauga, Ontario, to examine the operations of the City Departments, Local Boards, H. E. C. F. I. and City-owned Companies for insurance purposes at a cost not to exceed \$18,000. plus applicable taxes; and
(b) That this expenditure be charged to Account CH 53521 24108 - Insurance Premiums - Studies.

8. Deleted.

9. (a) That Clause 8 (a) and (b) of the Public Library Lease Agreement be deleted as the City of Hamilton agrees to accept liability under the Primary Liability insurance policy of the City of Hamilton; and
(b) That references to insurance in the Public Library Lease Agreement be amended to provide that:
 - (i) the Lessor shall include the Lessee as a named insured in the Lessor's Primary and Excess Liability insurance policies in such amounts and deductibles as may be determined from time to time by the Lessor in its sole discretion; and
 - (ii) the Lessee may, in its discretion, place liability insurance to insure all or part of the deductible of the City's primary liability policy and shall include the City as a named insured in any such insurance.

10. (a) That the City's policy permitting a deferral of payment of Development Charges for a three year maximum period (adopted 1991 May 28, Section 18, Eleventh Report, Finance and Administration Committee) be amended as follows:
- (i) That partial discharges of registered Deferral Agreements be issued by the City upon payment of the applicable Development Charges.
 - (ii) That in addition to the present policy permitting payment of Development Charges to be deferred pursuant to a deferral agreement, registered on title to the development site, the City permit payment deferral pursuant to an unregistered deferral agreement provided the City receives a letter of credit (or equivalent financial security satisfactory to the City Treasurer) in the amount of the Development Charges being deferred (and estimated interest thereon for the three year deferral period).
 - (iii) That the form of the City's Development Charges Deferral Agreement, attached herewith and marked Appendix "A" be approved.
- (b) That a policy permitting payment of Development Charges before issuance of a building permit be approved providing the owner enters into a Pre-payment Agreement.

Such Prepayment Agreement shall be in a form satisfactory to the City Solicitor and include the following provisions:

- (i) permitting payment of the Development Charge before a building permit is issued in relation to a building or structure;
 - (ii) requiring the owner:
 - (1.) to pay the Development Charge in effect on the date it is payable under the Agreement;
 - (2.) to register the Agreement on title at its expense;
 - (3.) to make payment of the Development Charge immediately in the event the owner disposes the land prior to the payment due date in the Agreement;
- (c) That the following administrative fees be approved:

(i)	registered Deferral Agreements	\$500.
(ii)	registered Prepayment Agreements	\$100.
(iii)	unregistered Agreements	\$100.
(iv)	compliance report	\$ 25.
(v)	discharge	\$ 50.

11. That approval be given to enlist the Architectural and Engineering Services of Christina Kokosky Architect of Hamilton for the construction of the west exit stair extension extending from the 7th to the 8th floor of City Hall at a cost of \$8,000.

12. That Smoking By-Law 80-258, Smoking in Public Areas and By-Law 89-370, Smoking in the Workplace be amended to provide for:
 - (a) A minimum symbol diameter of seven inches and a minimum letter size of 1/4 inch on all smoking control signs sold after 1993 January 1.
 - (b) All required signs to be posted at the entrance and exits of every premises regulated by the By-laws and also be conspicuously posted throughout the premises so as to be clearly visible from all parts of the premises.
 - (c) Any sign which complied with the requirements of the By-law prior to 1993 January 1, to continue to be used until the sign's condition requires the sign to be replaced.

13. (a) That a copy of the 1992 September 30 report of the City Treasurer regarding levy payments to the Boards of Education, be forwarded to the Boards of Education for their comments. (Copies of this report were distributed to members of the Finance and Administration Committee and are available from the Committee Secretary upon request.)
- (b) That the Boards of Education be requested to provide their comments to the Finance and Administration Committee by the end of 1992 December.

14. For the information of the members of City Council, the Finance and Administration Committee have increased the membership of the Advisory Committee on Equitable Representation by one, and have appointed the Chairperson of the Mayor's Race Relations Committee's Commissions Sub-Committee, Mr. William Shaffir, to this Committee.
15. That as referred to in Section 4 of the Eighteenth Report of the Parks and Recreation Committee, the temporary financing required for creative playground equipment for Confederation Park in the amount of \$10,000. be funded from the Reserve for Capital Projects Account Centre No. CH00203.
16. That the Memorandum of Implementation dated 1992 September 9, for a Joint Job Evaluation Programme between the Corporation of the City of Hamilton and the International Union of Operating Engineers Local 772 be approved and implemented in accordance with the terms therein.
17. That the Plaintiffs Offer to Settle in Ontario Court (General Division) Action No. DC4236\86, dated 1992 September 16th, not be accepted.
18. That leave be granted to introduce the following Bills:
 - (a) Bill H-64 A By-law to Amend By-law 80-258, As Amended Respecting Smoking in Public Areas and By-law 89-370 Respecting Smoking in the Workplace.
 - (b) Bill H-65 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN T. COOKE, ACTING CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1992 October 8

Appendix "A" referred to in Section 10
of the Twentieth Report of the Finance
and Administration Committee for 1992.

THIS AGREEMENT made in quadruplicate dated , 19 .

B E T W E E N:

(hereinafter referred to as "Owner")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as "City")

OF THE SECOND PART

WHEREAS:

- A. The Province has enacted The Development Charges Act, R.S.O.1990, Chapter D.9 and Regulations thereunder which authorizes the City to enact a By-Law for the imposition of development charges against land under the circumstances outlined in the statute and pursuant to the provisions of the By-Law (hereinafter the said Act may be referred to as the "Act");
- B. The City has enacted as By-Law 90-074 a Development Charges By-Law amended by By-Law 92-171, copies of which the Owner acknowledges having received ;
- C. The Owner is the registered owner of land situate in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and Province of Ontario, known municipally as

and more particularly described in Schedule "A" attached hereto (the "Land") and the Owner has represented that all arrears of realty taxes on the Land have been paid;
- D. The owner intends to develop the Land and as a result thereof is required to pay the sum of \$ to the City in Development Charges prior to the issuance of the Building Permit;

E. The Development Charges Act includes the following provisions:

- 9(1) A development charge is payable on the date a Building Permit is issued in relation to a building or structure on land to which a development charge applies.
- 9(8) Despite subsection (1) and (3), a municipality may enter into an agreement with an owner providing for the payment of all or any portion of the development charge on dates later than the issuing of a Building Permit or the entering into of a subdivision agreement.
- 9(10) A municipality that has entered into an agreement under subsection (8) may charge interest, at a rate stipulated in the agreement, on that part of the development charge not paid in accordance with subsection (1).
- 12(1) If the development charge or any part thereof imposed by a municipality, other than an upper tier municipality, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.

G. The issuance of the Building Permit without the prior payment of the Development Charge is subject to the execution of this Agreement pursuant to which the Owner obliges itself to the following conditions including the covenant to pay the Development Charges as provided for herein and this Agreement is entered into pursuant to the Act to record these matters and to give Notice thereof to all persons intending to deal with the Land or any part thereof.

WITNESSETH THAT, in consideration of other good and valuable consideration and the sum of Two Dollars (\$2.00) of lawful money of Canada now paid by each of the parties hereto to the other of them (the receipt and sufficiency of which is by each of them hereby acknowledged), the Owner and the City hereby agree as follows:

1. (a) This Agreement applies to and binds the Owner's Land described in Schedule "A" annexed hereto.

(b) This Agreement is accepted and is acknowledged by the Owner to be an Agreement entered into by the Owner as a condition of the City granting the Owner under clause 9(8) of the Act a Building Permit subject to a postponement of the payment of Development Charges in accordance with the provisions of this Agreement.

(c) The City has calculated that the Development Charges payable by the owner relating to a development upon the Land is in the amount of \$.

(d) The Owner acknowledges and agrees that:

- (i) the said sum is the correct amount calculated, costed and fully adjusted of the Development Charges applicable to his current Building Permit application with the City for a development upon a portion of the Land. The Owner requests the City to issue the Building Permit and hereby promises to pay all of the said Development Charges with interest as provided for herein within three years of the date of this Agreement;
- (ii) the Development Charges referred to herein for payment by the Owner to the City are not all of the Development Charges that may become applicable to the Schedule "A" Land as there may be further Development Charges applicable to this Schedule "A" Land for other development that may take place thereon;
- (iii) he will not appeal to the City or in any other forum, the jurisdiction of the City to enact the Development Charges By-Law, the quantum of the charges or any other appeal thereof.
- (iv) no Building Permit respecting the Land will be issued until the building plans for the Land have been approved and this Agreement has been executed by the owner, registered on title to the Land and a duplicate registered copy thereof provided to the Building Commissioner, City Hall, P.O. Box 2040, 71 Main Street West, Hamilton, Ontario, L8N 3T4, together with the owner's Solicitor's Certificate in a form satisfactory to the Law Department certifying each of the foregoing steps have been fulfilled.
- (v) the Owner shall, within thirty-six (36) months of the date of this Agreement pay the Development Charges in full with interest to the City (hereinafter this payment date may be referred to as the "due date").
- (vi) the owner shall pay the said Development Charges as provided herein even if the development is not commenced, or if commenced is not completed within the said thirty-six month period.

2. (a) The Owner hereby acknowledges and agrees that in the event the Development Charges with accrued interest thereon are not paid on the due date, then in addition to any other remedy available to the City at law, the amount of Development Charges and interest accrued thereon unpaid shall be added to the tax roll (or tax rolls within which the Land described in Schedule "A" is comprised) and shall be collected as taxes.

(b) For greater certainty, the owner hereby declares that the Land in Schedule "A" is recorded under the following tax roll number(s). The City reserves the right to add the arrears to the said tax roll(s) and to any other tax roll which the City determines is also included within the Schedule "A" Land.

Number(s):

3. In consideration for and as a condition of the City's agreeing to allow the payment of the Development Charges to be postponed, the Owner for itself, its successors and assigns hereby covenants to the City that:

(a) it shall pay the Development Charges together with interest thereon calculated as follows. Interest shall be charged on the principal outstanding compounded monthly, based on the average prime lending rate as quoted by the City's banker on the first day of each month.

(b) Part payments of the Development Charge upon the execution of this Agreement and subsequent part payments shall be made during the three year period as detailed in Schedule "B" attached hereto.

(c) The Owner shall have the right to pay the Development Charges in whole or in part together with interest thereon at any time without notice.

4. The Owner will and hereby and herein does provide and permit the City its servants, agents and contractors, the license and its complete authority and direction subject to the provisions therefor set out in the Act, to enter upon and enjoy free access to the Land at any time without obstruction or any physical or legal or other impediment for the purpose of making or engaging in any inspection or examination, evaluation, review or discussion or action, or any other purpose related to the performance of the Agreement by the Owner, as the City may require or otherwise determine until the obligations set out herein are fulfilled.

5. (a) The Owner to whom a request in writing has been made by the City will, within the time limits specified by the City and to the full satisfaction of the City represented by its officials, at the sole risk, cost and expense of the Owner, remedy all non-compliance or potential non-compliance with this Agreement as may, in the sole opinion of the City exist or come into existence from time to time.

(b) The Owner will, within ten (10) days of the mailing of an invoice or demand for costs and expenses necessarily incurred by the City in enforcing compliance with this Agreement, pay to the City the full amount of such invoice or demand and the rate of interest set out therein until the date of payment.

(c) All fees, costs and expenses due, paid or incurred by the City under this Agreement shall constitute a charge upon the Land until fully discharged by payment and the same may, if unpaid, be entered upon the tax collector's roll against the said Land and be recovered in the same manner as municipal taxes, but without prejudice to any other right of the City to collect same.

6. (a) Nothing in this Agreement shall impose upon the City any duty or obligation to inspect or examine the Land for compliance or non-compliance or potential compliance or non-compliance by the Owner or to provide an opinion respecting any condition or to request or require compliance with the said conditions of this Agreement.

(b) The Owner agrees that it is its responsibility to obtain all necessary approvals and all necessary zoning for purposes of the alterations and use of the Land and that by entering into this Agreement the City is making no representation regarding same and the Owner acknowledges that nothing herein limits the City's discretion regarding same.

(c) The Owner will and herein does indemnify, save, defend and keep harmless from time to time and at all times, the City of, from and against all actions, causes of action, interest, claims, demands, cost, charges, damages, expenses and loss which the City may at any time bear, incur, be liable for, sustain or be put into for any reason or on account of or by reason of or in consequence of the City entering into this Agreement.

7. (a) The Owner shall register this Agreement at his expense against the Land in accordance with the provisions of The Registry Act or The Land Titles Act and provide a certified true copy to the Building Commissioner before a Building Permit is issued.

(b) The Owner acknowledges and agrees that the issuance by the City of a Building Permit does not mean that the development charges have been paid. Rather, the owner agrees that this Agreement has been entered into by it with the City to record and to confirm the continuing obligations of the Owner to pay the said Development Charges and to confirm that these conditions have been assumed by the Owner and are against the Land.

(c) The Owner acknowledges that it is realized that in addition to the Development Charges payable to the City that there may be Development Charges payable to The Regional Municipality of Hamilton-Wentworth or to a Board of Education.

(d) The Owner covenants and agrees that each and every covenant herein contained shall be binding upon the Owner of the Land described in Schedule "A" annexed hereto and upon each and every successor and assign.

8. (a) In this Agreement, where it states the Owner shall or the Owner will, it shall mean at the Owner's expense;

(b) In every clause of this Agreement, unless the contrary intention appears, words importing the singular number or the masculine gender only include more persons, parties or things of the same kind than one, and females as well as males and the converse, and a word interpreted in the singular number has a corresponding meaning when used in the plural;

(c) In the event that any portion of this Agreement is unenforceable, then such portion shall be severed and it is agreed that the balance of the Agreement shall remain in full force and effect.

(d) Notice to the City shall be addressed to Building Commissioner, P.O. Box 2040, 71 Main Street West, Hamilton, Ontario, L8N 3T4,

(e) Payments of the Development Charges and interest thereon provided for herein shall be payable to "The Corporation of the City of Hamilton" and mailed or delivered to Treasury Department, City Hall, P.O. Box 2040, 71 Main Street West, together with a covering memo clearly indicating the purpose of the payment.

(f) Notice to the Owner may be addressed to the Owner at:

9. Certificate of Discharge - Upon the payment in full of the Development Charges together with interest thereon, the City will execute a Certificate which when registered will release and discharge the Owner and the Land from this Agreement provided:

(a) the owner has its solicitor prepare, at the Owner's expense, the Certificate in a form satisfactory to the City incorporating a current legal description of all the Lands described in Schedule "A"; and

(b) the Owner's solicitor's Certificate is furnished at the expense of the Owner to the City in a form satisfactory to the Law Department to confirm that the Discharge has been prepared as required by the City and registered at the Owner's expense as required herein and a duplicate registered copy thereof has been provided to the Building Commissioner.

10. Notwithstanding any provision in this Agreement to the contrary the owner agrees that:

(a) in the event that the Land or part thereof in Schedule "A" is developed for or intended for residential purposes and offered for sale as a lot, a severed parcel or residential condominium unit, then, unless a discharge of this Agreement (or partial discharge of the applicable portion of land) has been registered, the full balance of unpaid Development Charges with interest thereon upon all of the Schedule "A" Land shall then become fully due and payable to the City.

(b) in the event the Owner becomes bankrupt (voluntarily or involuntarily) or becomes subject to any proceedings seeking litigation, re-arrangement or relief of creditors, or if any execution becomes enforceable against the Owner or the Schedule "A" Land, then the full balance of unpaid Development Charges with interest thereon upon all of the Schedule "A" Land shall then become fully due and payable to the City.

(c) in the event the Owner makes default in the payment of the Development Charges and interest thereon provided for herein (including in Schedule "B"), then the full balance of unpaid Development Charges with interest thereon upon all of the Schedule "A" Land shall then become fully due and payable to the City.

11. It is understood and agreed that there are no covenants, representations, agreements, or conditions in any way relating to the subject matter of this Agreement whether express or implied, collateral or otherwise, except those set forth herein.

12. Time shall be of the essence in all respects.

IN WITNESS WHEREOF the Owner has hereunto affixed its corporate seal under the hands of its proper signing officers, duly authorized in that behalf, and the City has hereunto affixed its corporate seal under the hands of its Mayor and City Clerk.

DATED this day of , 199 in the City of Hamilton.

_____ c/s

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

_____ c/s

City Clerk

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FOURTH** Report for 1992 and respectfully recommends:

1. That Alderman D. Wilson be appointed Chairman of the Committee of the Whole for a three (3) month term commencing October, 1992.

Respectfully Submitted.

Mayor R. M. Morrow
Chairman
Nominating Committee

J. J. Schatz
Secretary

1992 October 13

1992 October 27

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1992

Minutes of Hamilton City Council
1992 October 27
7:30 o'clock p.m.
Council Chamber

URBAN MUNICIPAL

OCT 27 1992

The Council met.

GOV 'MENT DOCUMENTS

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino,
Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman D. Drury - Civic Business

City Council commenced with the playing of the National Anthem.

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Dr. B. Pathak, Hindu Samaj Temple led Council in prayer.

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Mayor R. M. Morrow presented a Certificate of Recognition to Ryan Paquette on the occasion of receiving the Richelieu International Person of the Year Award.

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Mayor R. M. Morrow proclaimed the following:

- (a) Enchantment Under the Sea (Mum Show) - 1992 October 31 to November 15th
- (b) Mohawk College Week - 1992 November 1st to 8th.
- (c) Zonta International Day - 1992 November 8th
- (d) Diabetes Month - 1992 November

* * * * *

The minutes of the meeting held 1992 October 13 were adopted as circulated.

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Correspondence:

1. Letter dated 1992 October 26 from Hazell Ross-Lampietro respecting Second Level Lodging Licence Application for 185 Delaware Avenue, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT
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Section 7 Re: Promotional Banner Across Main Street West for the Third National Conference on Disaster Management

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 8 Re: Promotional Banner Across Main Street West for the Canadian Christian Festival IV

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 28 Re: Construction of Independent Concrete Sidewalks on the west side of Upper Paradise Road - from Stone Church Road and the North side of Limeridge Road from Upper Wellington St.

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 28 of the Eleventh Report of the Transport and Environment Committee be referred back.

CARRIED.

* * * * *

Section 29 (a) ii Re: Construction of Concrete Curb on Upper Kenilworth Avenue - East Side from Landron Avenue to Limeridge Road

It was moved by Alderman Charters and seconded by Alderman Jackson that section 29 (a) ii of the Eleventh Report of the Transport and Environment Committee be tabled for two weeks.

CARRIED.

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

Section 1 Re: Issuance of Purchase Order to Memphis-Kendall Builders Inc. for the construction of new tennis club for the Hamilton Tennis Club

It was moved by Alderman Jackson and seconded by Alderman Copps that Section 1 of the Nineteenth Report of the Parks and Recreation Committee be referred back.

CARRIED.

* * * * *

Section 5 Re: Capital Grant to McMaster University for upgrading campus sports fields

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

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PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT

Section 9 Re: A.M.O.'s response to the Provincial Government Policy Paper on Apartments in Homes

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Merling -1.

CARRIED.

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It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution dealing with the issuance of five demolition permits. **CARRIED.**

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that the Eighteenth Report of the Planning and Development Committee for 1992 be amended by adding Section 17 as follows:

17. That the Building Commissioner be authorized to issue a demolition permit for:

- (a) 336-338 Jackson Street West
- (b) 2 Solidarnosc Place
- (c) 4 Solidarnosc Place
- (d) 4A Solidarnosc Place
- (e) 4 1/2 Solidarnosc Place

CARRIED.

* * * * *

Re: Section 7 of the Seventeenth Report of the Planning and Development Committee respecting the Rental Housing Protection Act Application at 515 Main St. East, Hamilton

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 7 of the Seventeenth Report of the Planning and Development Committee for 1992 which was previously tabled by City Council at its meeting held 1992 October 13 be now lifted from the table for consideration.

7. A. That approval be given to Rental Housing Protection Act Application CD-92-001, Oswald Delkus, principal of registered owner, 542052 Ontario Limited, for conversion of 21 rental residential units to 21 residential condominium units at 515 Main Street East, Hamilton, as the proposed development will not adversely affect the supply of affordable rental housing in Hamilton, provided the owner fulfills the following conditions:

- (a) That the applicant offer to the remaining tenants in the three bedroom unit known as Apartment No. 3, namely Mr. Robert Balansche and

Mrs. Ruth Balansche, the opportunity to continue renting their unit for as long as they wish, at the rent rate now paid, namely \$357.00 per month, provided that such rent shall not be increased by reason of the alterations to convert the building to a condominium, but that the rent may be increased as otherwise permitted at law;

- (b) That the applicant also offer the present tenants, namely Mr. and Mrs. Balansche, the option to purchase their unit, Apartment No. 3, within three years of registration of the new condominium, at a price to be negotiated not in excess of \$55,000.00 (fifty-five thousand dollars); and,
 - (c) That the owner agree to cause the new condominium corporation to enter into an agreement with the City to assume these obligations;
 - (d) That the applicant be requested to prepare an Approval Agreement incorporating the conditions of approval, in a form satisfactory to the Director of Local Planning and the City Solicitor. This Agreement is to be executed by the Mayor and City Clerk.
- B. That the City Clerk execute the Certificate of Approval in a form satisfactory to the City Solicitor, pursuant to Section 13(8) of the Rental Housing Protection Act, 1989 after the owner's Agreement incorporating the conditions of approval has been registered on title to 515 Main Street East by the owner.

CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - SEVENTH REPORT
--

Section 2 Re: Cab Drivers Licence Application - Thomas Lebrun -35 Rosemount

It was moved by Alderman Cooke and seconded by Alderman Agostino that section 2 of the Seventh Report of the Licensing Committee be referred back. **CARRIED.**

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Section 3 Re: Hairdresser Licence Application of Elvira Krackovic - 533 Main St. E.

It was moved by Alderman Cooke and seconded by Alderman Agostino that section 3 of the Seventh Report of the Licensing Committee be referred back. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY FIRST REPORT

Section 5 (b) Re: Concrete Curb - Upper Kenilworth East Side from Landron Avenue to Limeridge Road

It was moved by Alderman Charters and seconded by Alderman Jackson that Sub-section (b) of Section 5 of the Twenty First Report of the Finance and Administration Committee be tabled for two weeks. **CARRIED.**

Section 15 Re: Amendment to Fire Department Act respecting Binding Arbitration

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.
-15.

NAYS: Alderman Wilson -1.

CARRIED.

RESOLUTIONS

It was moved by Alderman Copps and seconded by Alderman Morelli that the Mayor be requested to write to the Minister of Tourism and Recreation for an explanation as to why Hamilton Place was not included in "Theatre in Ontario" marketing in the United States. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Cooke be appointed Acting Mayor for the month of November, 1992. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: -0.

CARRIED.

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Consideration of the Bills (second reading).

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross,
D'Amico. -16.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-78, A-79, A-80, A-81, A-82, A-83, A-84, A-85, A-86.

C-108, C-109, C-110, C-111, C-112, C-113, C-114,
C-115, C-116, C-117, C-118.

H-66.

1992 October 27

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:20 o'clock p.m.

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Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 October 27

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1992 and respectfully recommends:

1. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access and hook-ups to newly registered subdivision developments:

Upper Wentworth Street	Parts 5 and 13	Plan 62R-11311
Arrowhead Drive	Parts 1 and 14	Plan 62R-11311
Claudette Gate	Part 2	Plan 62R-12354

-
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

2. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access and hook-ups to newly registered subdivision developments:

Highridge Avenue	Part 2	Plan 62R-9499
Ewen Road	Part 4	Plan 62R-11818
Rifle Range Road	Part 6	Plan 62R-11818

-
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

3. (a) That By-law No. 82-177 be repealed and a new by-law for the closure and sale of the public walkway north of Larch Street be enacted by City Council.

- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
4. That the applications to retain inadvertent encroachments at the locations attached hereto as Appendix "A" be approved during the pleasure of City Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A", be set for the encroachments.
5. That the application to retain an inadvertent encroachment at the location attached hereto as Appendix "B" be approved during the pleasure of City Council provided:
- (a) That the owners enter into an agreement satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreement.
 - (c) That the first year fee and subsequent annual fee as outlined in Appendix "B", be set for the encroachment.
6. (a) That in accordance with By-law No. 89-72, Dofasco Incorporated be given an Annual Overload Permit for the year 1992 for one (1) single unit truck to travel upon Ottawa Street North, Industrial Drive and Burlington Street; and,
- (b) That of the \$1,137. total carrying fee, 4% or \$45.48 be credited to City Account No. 25827011 (Overload Permit Fees) and that 96% or \$1,091.52 be credited to Regional Account No. 46025 301502 (Overload Agreements).

7. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of J. Moffatt, agent for the National Conference on Disaster Management (Regional Municipality of Hamilton-Wentworth, Chief Administrative Office, 119 King Street West, Hamilton) to display a promotional banner across Main Street West in front of City Hall from 1992 October 5 to 1992 October 12 with the following message:

**"3rd National Conference on Disaster Management, Hamilton
Convention Centre, October 20-23, 1992"**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

8. That the application of L. Powell, agent for the Canadian Christian Festival (120 King Street West, Hamilton L8P 4V2) to display a promotional banner across Main Street West in front of City Hall from 1994 June 20 to 1994 June 27, be approved, with the following message:

"Canadian Christian Festival IV - Copps Coliseum June 23-26 - Sharing the Joy"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

9. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of E. Hicken, agent for the Hamilton "Y" Harriers (R.R.#1, Canfield, Ontario) to temporarily close Jackson Street between Hughson Street and James Street from 11:30 a.m. to 2:30 p.m. on Sunday, 1992 November 1 subject to the following conditions:
 - (a) That approval from the Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
10. That the application of D. Carpenter, agent for the Downtown Hamilton B.I.A. (P.O. Box 91045, Effort Square Postal Outlet, Hamilton) to temporarily close Hughson Street South between King Street East and Main Street East from 7:00 a.m. to 5:00 p.m. on Saturday, 1992 October 31, be approved, subject to the following conditions:
 - (a) That approval from the Regional Police Services be received;

- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and City of Hamilton as an added insured party with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
11. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in:

"EDAN HEIGHTS - PHASE 3" Hamilton

City's Share \$2,250.

Subdivider's Share \$ 45,299.82

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Edan Heights - Phase 3", Hamilton.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.

- (d) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing.
 - (e) That the City's share for services in "Edan Heights - Phase 3, Hamilton (\$2,250.) be approved and that the Finance and Administration Committee recommend the source of funding for this project.
12. (a) That the portion of Section 8 of the Fourteenth Report of the Transport and Environment Committee for 1991 adopted by City Council at its meeting of 1991 October 8 which authorized the City to grant an easement to the Region over Parts 3 and 7 shown on Plan 62R-11417, be deleted.
- (b) That the City of Hamilton grant a 12.0 metre wide sewer easement to the Regional Municipality of Hamilton-Wentworth over City lands shown as Parts 2, 7, 9 and 10, on Plan 62R-12302 for \$1. in order to provide for sewer connections between Summerfield at the Orchards Subdivision to the west and Orchard Park Estates to the east and that the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- (c) That the Director of Property be authorized and directed to prepare the necessary documents to transfer the sewer easement to the Region.
13. (a) That the Encroachment Agreement for 109 - 111 Pearl Street North registered as Instrument No. 4797810 C.D., be discharged.
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 4797810 C.D., and in a form satisfactory to the Law Department.
14. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Wildewood Avenue commencing at a point 101 feet east of Brentwood Drive and extending to a point 165 feet easterly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

15.
 - (a) That the "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Maplewood Avenue commencing at a point 148 feet west of Springer Avenue and extending to a point 90 feet easterly be relocated such that the regulation commences at a point 190 feet west of Springer Avenue and extends to a point 80 feet westerly therefrom; and
 - (b) That in accordance with the request by the Hamilton Street Railway Company, the existing near side bus stop on the north side of Maplewood Avenue at Springer Avenue be relocated to a far side location; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
16.
 - (a) That a "No Parking" regulation be implemented on the east side of Cochrane Road from Queenston Road to a point 216 feet southerly therefrom and a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side from Queenston Road to a point 194 feet southerly therefrom, in place of the existing "Alternate Side Parking" regulation; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
17.
 - (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Robert Street commencing at Cathcart Street and extending to a point 116 feet easterly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
18.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Tom Street commencing at a point 137 feet east of Dundurn Street North and extending to a point 16 feet easterly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Ercole Turco, 46 Tom Street; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
19. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first eight eligible applicants residing in the apartment building at No. 78 Duke Street.

20. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first seven eligible applicants residing in the apartment building at No. 209 James Street North.
21.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue commencing at a point 354 feet south of Barton Street East and extending to a point 19 feet southerly therefrom; and
 - (b) That a "Permit Parking" regulation be implemented on the west side of Gibson Avenue commencing at a point 360 feet south of Barton Street East and extending to a point 19 feet southerly therefrom; and
 - (c) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Catharine Winterburn, 149 Gibson Avenue.
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
22.
 - (a) That the existing residential boulevard parking agreement registered as Instrument No. 10973 C.D. to the property at No. 248 Gibson Avenue be discharged, at the property owner's expense; and
 - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
 - (c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement to allow for three boulevard parking spaces.
23.
 - (a) That a "No Stopping" regulation be implemented on the east side of David Avenue commencing at Fennell Avenue East and extending to a point 124 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
24.
 - (a) That a "No Stopping" regulation be implemented on the west side of Organ Crescent, commencing at Fennell Avenue East and extending to a point 46 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

25. (a) That westbound traffic on Nightingale Street be required to stop for northbound and southbound traffic on Steven Street; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
26. (a) That northbound traffic on Ford Street be required to stop for eastbound and westbound traffic on Grove Street; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
27. (a) That three-way stop control be implemented at the intersection of Unsworth Drive and Lancing Drive/Hempstead Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
28. That construction of independent concrete sidewalks on Upper Paradise Road west side from Stone Church Road to approximately 138 m southerly and Limeridge Road north side from 400 m east of Upper Wellington Street to approximately 127 m easterly not be proceeded with as sufficiently signed petitions have been received in accordance with Section 12 of the Local Improvement Act. **REFERRED BACK.**
29. (a) That the estimated costs in the following local improvement projects, be increased:
- i. Upper Paradise Road east side from Stone Church Road to 187 m southerly and from 86 m south of Skyview Drive to 83 m southerly - construction of independent concrete sidewalk. The increase in the approved City share from \$7,964. to \$27,964.
 - ii. Upper Kenilworth Avenue east side from Landron Avenue to Limeridge - construct concrete curb. The increase in the approved City share from \$46,100. to \$56,100. **TABLED.**

- iii. Limeridge Road south side from Upper Wellington Street to 263 m easterly and from 376 m east of Upper Wellington Street to 69 m easterly - construct independent concrete sidewalk. The increase in City share from \$25,588.80 to \$35,588.80.
 - (b) That the Finance and Administration Committee be requested to recommend a source of funds for these increased costs.
30. (a) That purchase orders be issued to the following suppliers, being the lowest tenders received for the supply and delivery of screened sand, treated and untreated for the 1992 - 1993 winter season in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders:
- i. Lakeview Sand & Gravel, Paris
Delivery only of treated sand in 22.5 tonne dump truck loads - \$14.51 per tonne including delivery
 - ii. TCG Materials Limited, Brantford
Pick up of treated sand - \$11.50 per tonne

Delivery of untreated sand in 22.5 tonne dump truck loads - \$7.50 per tonne including delivery

Pick up of untreated sand - \$4.20 per tonne
All taxes extra
- (b) That funds be provided from Stock Inventory Account No. CH56197 60999.
31. (a) That purchase orders be issued to the following suppliers, being the lowest tenders received for the supply and delivery of sodium chloride for the 1992 - 1993 winter season in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders:
- i. Sifto Canada Inc.

Coarse crushed in 22.5 tonne dump truck loads - \$39.33 per tonne including all taxes and delivery

ii. Akzo Salt Ltd., Mississauga

Highway fine in 40 kg. bags - \$113.56 per tonne including all taxes and delivery

- (b) That funds be provided from Stock Inventory Account No. CH56197 60999.
- 32. (a) That the Chairman or his designate be authorized to attend the Ontario Good Roads Association 1993 Annual Conference, 1993 February 21 to February 24, Toronto, Ontario.
- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
- 33. (a) That the Chairman or his designate be authorized to attend the Pollution Prevention Exposition and Conference 1992 November 18 to November 20, Dallas, Texas.
- (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1992 Operating Budget.
- 34. (a) That part of the property at 631 Rymal Road West required for implementation of the amended Carpenter Neighbourhood Plan, be acquired through expropriation and that the City Solicitor be directed to take the appropriate action.
- (b) That the City Clerk be authorized and directed to:
 - i. Give notice of the City's application as expropriating authority, to all owners, registered owners and tenants (as defined in The Expropriation Act) to acquire part of the property at 631 Rymal Road West containing 845.39 square metres (9,100 square feet) more or less, for highway and municipal purposes.
 - ii. Advertise Notice of the City's application in a newspaper as required by The Expropriations Act, and
 - iii. Sign and receive said application for approval to Expropriate.

iv. That the Director of Property be authorized and directed to obtain an independent appraisal of the lands to be expropriated to form the basis of compensation to be offered by the City and that the Director of Property be authorized and directed to negotiate compensation with the owner for the expropriated lands on the basis of the appraisal report.

(c) That the Finance and Administration Committee be requested to recommend the method of financing.

35. (a) That the Director of Property be authorized to negotiate with the following owners for the acquisition of a portion of their lands required for the extension of Eaglewood Drive in Gagliano Gardens Addition Subdivision in order to implement the Eleanor Neighbourhood Plan. The necessary expenditures are to be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands).

Property

Owner

i. Part of 801 Rymal Road East
Parts 8 and 9, Plan 62R-9927

Gustav Turnewitsch

ii. Part of 819 Rymal Road East
Parts 12 and 13, Plan 62R-9927

Garnet Hyslop
Jean Hyslop

(b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before 1993 March 1, the City Solicitor be authorized and directed to initiate expropriation proceedings and the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value.

(c) That the Finance and Administration Committee be requested to recommend the method of financing.

36. (a) That a four-way stop control at the intersection of Broker Drive and Brentwood Drive, be implemented, on a 6 month trial basis.

(b) That staff report back to the Transport and Environment Committee on the effect of this four-way stop in 6 months time.

37. (a) That City Council endorse the Regional Municipality of Waterloo's resolution respecting new legislation for beverage containers as follows:

WHEREAS the Province of Ontario is currently considering new legislation for beverage containers,

AND WHEREAS all containers will continue to contribute to litter problems, thereby leading to increased municipal costs unless all containers are accompanied by a deposit,

BE IT THEREFORE RESOLVED THAT the Government of the Province of Ontario be urged to promote the use of refillable containers as much as possible, and implement a refundable deposit program for non-refillable beverage containers to encourage the recycling of them,

AND FURTHER that this resolution be circulated to the Premier of Ontario, the Minister of the Environment, the Minister of Municipal Affairs, Ontario Association of Municipal Recycling Coordinators, the Association of Municipalities of Ontario, the Ontario Soft Drink Association, and all Ontario municipalities with a population in excess of 20,000 with a request to endorse this resolution.

- (b) That the City Clerk be directed to notify the Regional Municipality of Waterloo and the Government of the Province of Ontario that the City of Hamilton endorses this resolution.

38. That leave be granted to introduce the following Bills:

- (a) **Bill A-78** By-law to Incorporate Parts 1 and 14, Plan 62R-11311
into Arrowhead Drive
- (b) **Bill A-79** By-law to Incorporate Parts 5 and 13, Plan 62R-11311
into Upper Wentworth Street
- (c) **Bill A-80** By-law to Incorporate Part 2, Plan 62R-12354
into Claudette Gate
- (d) **Bill A-81** By-law to Incorporate Part 6, Plan 62R-11818
into Rifle Range Road

- (e) **Bill A-82** By-law to Incorporate Part 4, Plan 62R-11818
into Ewen Road
- (f) **Bill A-83** By-law to Incorporate Part 2, Plan 62R-9499
into Highridge Avenue
- (g) **Bill A-84** By-law to Stop-up, Close and Sell Those Portions of
Public Walkway Between Lots 150 and 151
Plan 62M-89 (North of Larch Street)
- (h) **Bill A-85** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (i) **Bill A-86** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN V. J. AGRO, VICE-CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson, Secretary
1992 October 19**

Appendix "A" as referred to in
Section 4 of the ELEVENTH Report
of the Transport and Environment
Committee for 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
66 Erie Avenue N.	Steps measuring 3.5' X 4.5'	David A. Stevens 161 King Street West Dundas, Ontario L9H 1V3	\$105.00/20.00	T103-50 (898)
151 Glendale Avenue N.	Steps measuring 0.75' X 3.5'	Edward F. Cain 340 Main Street East Hamilton, Ontario L8N 1J1	\$112.00/20.00	T103-50 (1003)
168 Grace Avenue	Stairway measuring 1.75' X 10.0' onto Knox Avenue	Witten Renovations Inc. 495 Woodward Avenue Hamilton, Ontario L8H 6N6	\$112.00/20.00	T103-50 (1016)
169 Burris Street	Wood Steps measuring 1.74' X 3.05'	J. W. Homer Waller & Homer 241 King Street West Hamilton, Ontario L8P 1A7	\$112.00/20.00	T103-50 (1019)

Appendix "B" as referred to in
 Section 5 of the ELEVENTH Report
 of the Transport and Environment
 Committee for 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
109 Pearl Street N	Portion of building on Florence Street measuring 0.05m x 3.93m on Pearl Street measuring 0.28m x 13.07m	Pelech, Otto & Powell P.O. Box 91206 Hamilton Ontario L8N 4G4	\$112.00/20.00	T103-50 (976)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its NINETEENTH Report for 1992 and respectfully recommends:

1. (a) That a purchase order be issued to Memphis-Kendall Builders Inc., Toronto in the amount of \$376,000. for the construction of a new club house for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. grounds (Hamilton Amateur Athletic Association grounds).
 - (b) That approval be subject to:
 - i. The contractor agreeing to reduce the cost of construction by \$31,000.
 - ii. The Hamilton Tennis Club contributing the difference between the Parks and Recreation Committee's approved budget (\$300,000.) and the total net budget cost (after GST rebate).
 - (c) That a contract be entered into satisfactory to the City Solicitor.
REFERRED BACK.
2. That subject to the pre-tender estimate for the West Mountain Twin Pad Arena being within budget, the Architectural Division through the Purchasing Division be authorized and directed to call tenders for the Building/Site portion of the project.
 3. That the Chairperson of the Parks and Recreation Committee or his designate and one Culture and Recreation Department staff person be authorized to participate in the Canada-Russia exchange representing Hamilton in Penza, 1992 November 12 to November 20.

4. That this year's New Year's Eve Celebrations be held at City Hall between the hours of 9:00 p.m. and 12:00 midnight, as a project that will be initiated with a "Launch" from Gore Park at noon assisted by the Downtown B.I.A.
5.
 - (a) That the City of Hamilton provide a capital grant of \$25,000. to McMaster University for upgrading campus sports fields to accommodate World-University Games - Women's Soccer.
 - (b) That this funding be conditional on McMaster University allowing community access to the campus sports fields.
 - (c) That this funding be conditional on the Province of Ontario and McMaster University providing the balance of \$75,000. required to upgrade the campus sports fields.
 - (d) That the Finance and Administration Committee be requested to recommend a method of financing.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Copps. -1.

CARRIED.

6.
 - (a) That approval be given to Dundurn Castle and Whitehern staff to purchase environmental control and monitoring equipment from their appropriate trust accounts.
 - (b) That authorization be given to staff to apply for matching funding of up to \$1,600. from the Facilities Development and Upgrading programme of the Federal Department of Communications.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson, Secretary
1992 October 20**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1992 and respectfully recommends:

1. (a) That the portion of Item 6 of the Planning and Development Committee Report 15-92 adopted by City Council on 1992 August 25, which refers to the approval of the 5% cash figure for "Claudette Gardens - Phase 1", Hamilton be deleted.
- (b) That the City of Hamilton accept the sum of \$16,380 as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 1", Hamilton, this being the cash payment required under Section 50 of the Planning Act.

The lands of Claudette Gardens - Phase 1 are located on the west side of Garth Street, north of Rymal Road West in the Falkirk East Planning Neighbourhood.

2. (a) That the International Village Business Improvement Area boundaries be expanded to include the following:
 - (i) both sides of King William Street from Mary to Wellington Streets
 - (ii) the east side of Mary Street from King to King William Streets
 - (iii) both sides of Ferguson Avenue from King to King William Streets
 - (iv) the west side of Wellington Street from King William to Main Street
 - (v) Spring Street between King and Main Streets; and,
- (b) That the City Clerk's Department be authorized and directed to circularize the proposed area with the notice of intent to amend the designating by-law in accordance with Section 220 of the Municipal Act; and,
- (c) That the Law Department be authorized and directed to prepare the necessary amending by-law.

3. That the 1992 estimate of expenditure under the Commercial Improvement Programme, approved by City Council on 1992 January 28 and June 30, be increased by \$71,606.35 to cover the extra costs associated with paving alleyways within the Westdale Village and International Village B.I.A.'s.
4. That the Community Renewal section of the Public Works Department be authorized to notify the Ministry of Municipal Affairs, Community Development Branch, of the City of Hamilton's intention to utilize the P.R.I.D.E. anti-recession funds on the north-end, east and west neighbourhoods.
5. That a Commercial Facade Loan in the amount of forty five thousand dollars (\$45,000) be approved for Agommen Ltd., and Co-owners, 303-307 King Street East, Hamilton. The interest rate will be 4 1/8 per cent, amortized over 10 years.
6. That the Building Commissioner be authorized to issue a demolition permit for 91 Webster Road.
7.
 - A. That approval be given to application 25CDM-92003, Taba Developments Ltd., owner, to establish a draft plan of condominium located south of Stone Church Road East on the east side of Upper Ottawa Street, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by Rady-Pentek & Edward Surveying Ltd., dated 1992 April 21, showing 37 industrial units.
 - (b) That Land Severance application H-18-92 and H-19-92 be finalized prior to the release of the Final Plan of Condominium.
 - B. That the Commissioner of Planning and Development for the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.
8.
 - (a) That the appropriate by-law to remove part-lot control from the lots and blocks of land is the "Rymal Square Estates - Phase 2" plan of subdivision, 26M-715, be enacted by Council.
 - (b) That the following enactment of this By-law, that the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse same on the by-law.

9. (a) That Hamilton City Council endorse, in principle, the Association of Municipalities of Ontario (A.M.O.) regarding their response to the Provincial Government's Policy Paper on Apartments in Homes.
- (b) That the Mayor be directed to advise the Provincial Minister of Housing and A.M.O. of the City's position.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Merling -1.

CARRIED.

10. (a) That the City of Hamilton endorse a policy of barrier free design; and,
- (b) That Planning Department staff be directed to prepare a report on this matter for the Planning and Development Committee.
11. (a) That the Beach Advisory Committee be renamed, The Beach Neighbourhood Plan Implementation Committee,
- (b) That the report mechanisms for all recommendations still continue to be the Planning and Development Committee then City Council for approval,
- (c) That the make up of this Committee be five Beach Neighbourhood Residents, all Ward 4 and 5 Aldermen and that resources and advisors to the Committee consist of one representative from the Office of Bob MacKenzie, M.P.P., for the area. One representative from the Planning Department, one representative from the Parks and Recreation Department, one representative from the Public Work's Department, one representative from the Engineering Department and one staff representative from the Conservation Authority,
- (d) That the voting members be the five area residents and the four aldermen; and,
- (e) That the Implementation Committee communicate with the Pathways Committee and the Bicycle Route Advisory Committee to receive input.

12.
 - (a) That the City of Hamilton renew the lease with the Toronto Area Transit Operating Authority which expired on July 31, 1992, respecting the use of City owned land located at Strachan Street East and James Street North.
 - (b) That the new term be for a period of two (2) years commencing August 1, 1992 and expiring July 31, 1994 at a rental rate of \$10,599.60 per year plus realty taxes paid in advance in monthly instalments of \$883.30 on the first (1st) day of each month and proceeds to be credited to Account Number CH 44104 31106 (Rental Civic Property - Civic Properties Rented).
 - (c) That in the event the premises are not required for the Industrial Perimeter Road Project, consideration will be given to a further two (2) year extension upon such terms and conditions as the parties may agree.
 - (d) That the lease renewal be in a form satisfactory to the City Solicitor.
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.
13. That approval be given to City Initiative 92-F for a modification to the established "C" (Urban Protected Residential, etc.) District regulations (Blocks "1" and "2") and for a further modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations (Block "3"), to exempt the subject properties from the "through lot" provisions of Zoning By-law No. 6593, and to establish the property lines abutting Mohawk Road East as the "rear lot lines", for properties located at 15, 19, 20 and 24 Bosna Court and 39, 43, 47 and 51 Algonquin Court, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variance as a special requirement:
 - (i) For the purposes of this By-law, the rear lot line shall be the boundary line along Mohawk Road East.
 - (b) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to Block "3", as amended by By-law No. 73-268, be further modified to include the following variance as a special requirement:

- (i) For the purposes of this By-law, the rear lot line shall be the boundary line along Mohawk Road East.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- 285a, and that the subject lands on Zoning District Map E-59 be notated S- 285a;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59 for presentation to City Council;
 - (e) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
14. That approval be given to Zoning Application 92-35, Peter Esposto, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, to legalize the existing parking lot, which is to be used in conjunction with a restaurant fronting on Upper James Street, for the property located at 9 Brantdale Avenue, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;
 - (b) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-Law No. 6593, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 13C(3) of Zoning By-Law No. 6593, the following requirements shall apply to the subject property:
 - (1) That a landscape planting strip having a minimum width of 1.5 m, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the westerly property line; and,
 - (2) That a landscape planting strip having a minimum width of 3.0 m shall be provided and maintained along the northerly property line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within the landscape planting strip, except for any area used for vehicular access;

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1289, and that the subject lands on Zoning District Map W-7 be notated S-1289;
 - (d) That the City Solicitor be directed to prepare a By-law to amend zoning By-law No. 6593 and Zoning District Map W-7;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (f) That the amending By-law not be passed by City Council until a site plan has been approved by the Planning and Development Committee.
15. A. That approval be given to amended City Initiative 91-E, for a modification to the "A" (Conservation, Open Space, Park and Recreation) District regulations, to permit the required parking spaces for the proposed bleachers for the track and field site to be provided and maintained on natural grass, for the lands between Mohawk and Limeridge Roads East, east of Upper Kenilworth Avenue (Mohawk Sports Park), as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the "A" (Conservation, Open Space, Park and Recreation) District regulations, as contained in Section 7 of Zoning By-law No. 6593, be modified to include the following variance as a special requirement:
 - (i) That Sections 18A (12) and (30) of Zoning By-law No. 6593 shall not apply to 567 required parking spaces within Mohawk Sports Park.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1290, and that the subject lands on Zoning District Maps E-69 and E-69A be notated S-1290;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-69 and E-69A for presentation to City Council;
 - (d) That the proposed modification to the Zoning By-law is in conformity with the Official Plan for the Hamilton Planning Area.

- B. That the City of Hamilton dedicate sufficient land to the Region for a daylight triangle and road widening purposes on Mohawk Road and Upper Kenilworth Avenue to the satisfaction of the Roads Department.

16. That leave be granted to introduce the following Bills:

- (a) Bill C-108 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 91-11 respecting lands located at Municipal Nos. 125 Napier Street and 55 Queen Street North
- (b) Bill C-109 A By-law to amend Zoning By-law No. 6593 as amendmend by By-law No. 89-336 respecting land located at Municipal No. 992 Montclair Avenue
- (c) Bill C-110 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 829 Rymal Road East
- (d) Bill C-111 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal No. 173 Bold Street and No. 20 Wheeler Lane
- (e) Bill C-112 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 91-099 respecting land located at Municipal No. 172 Sanford Avenue South
- (f) Bill C-113 A By-law to adopt Official Plan Amendment No. 118 respecting lands known municipally as 350 Centennial Parkway North, located south of the Canadian National Railway tracks and east of Centennial Parkway North, within the Lakely Neighbourhood
- (g) Bill C-114 A By-law to adopt Official Plan Amendment No. 119 respecting lands known municipally as 113 Charles Street, within the Durand Neighbourhood
- (h) Bill C-115 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-211 respecting part of land located at Municipal No. 240 Rymal Road East
- (i) Bill C-116 A By-law to remove land within the "Rymal Square Estates, Phase 2" Subdivision, Plan 62M-715 from Part Lot Control

- (j) Bill C-117 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 113 Charles Street
- (k) Bill C-118 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 90-29 respecting land located at Municipal No. 350 Centennial Parkway North

17. That the Building Commissioner be authorized to issue a demolition permit for:

- (a) 336-338 Jackson Street West
- (b) 2 Solidarnosc Place
- (c) 4 Solidarnosc Place
- (d) 4A Solidarnosc Place
- (e) 4 1/2 Solidarnosc Place

ADDED AND CARRIED.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1992 October 21

Subjoined is Section 7 of the Seventeenth Report of the Planning and Development Committee tabled by City Council at its meeting held October 13, 1992 and was subsequently lifted from the table by City Council at its meeting held October 27, 1992 for consideration.

7. A. That approval be given to Rental Housing Protection Act Application CD-92-001, Oswald Delkus, principal of registered owner, 542052 Ontario Limited, for conversion of 21 rental residential units to 21 residential condominium units at 515 Main Street East, Hamilton, as the proposed development will not adversely affect the supply of affordable rental housing in Hamilton, provided the owner fulfills the following conditions:

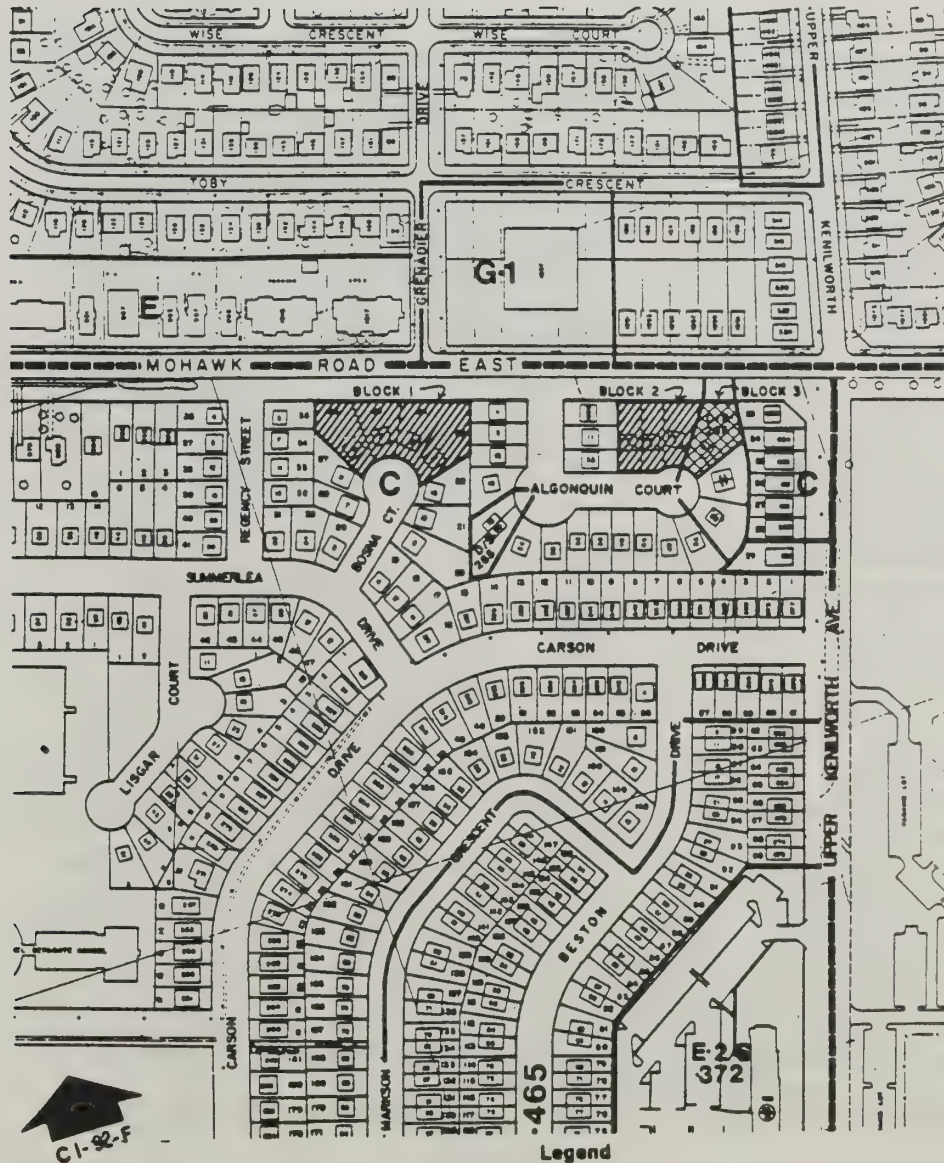
- (a) That the applicant offer to the remaining tenants in the three bedroom unit known as Apartment No. 3, namely Mr. Robert Balansche and



Mrs. Ruth Balansche, the opportunity to continue renting their unit for as long as they wish, at the rent rate now paid, namely \$357.00 per month, provided that such rent shall not be increased by reason of the alterations to convert the building to a condominium, but that the rent may be increased as otherwise permitted at law;

- (b) That the applicant also offer the present tenants, namely Mr. and Mrs. Balansche, the option to purchase their unit, Apartment No. 3, within three years of registration of the new condominium, at a price to be negotiated not in excess of \$55,000.00 (fifty-five thousand dollars); and,
 - (c) That the owner agree to cause the new condominium corporation to enter into an agreement with the City to assume these obligations;
 - (d) That the applicant be requested to prepare an Approval Agreement incorporating the conditions of approval, in a form satisfactory to the Director of Local Planning and the City Solicitor. This Agreement is to be executed by the Mayor and City Clerk.
- B. That the City Clerk execute the Certificate of Approval in a form satisfactory to the City Solicitor, pursuant to Section 13(8) of the Rental Housing Protection Act, 1989 after the owner's Agreement incorporating the conditions of approval has been registered on title to 515 Main Street East by the owner.

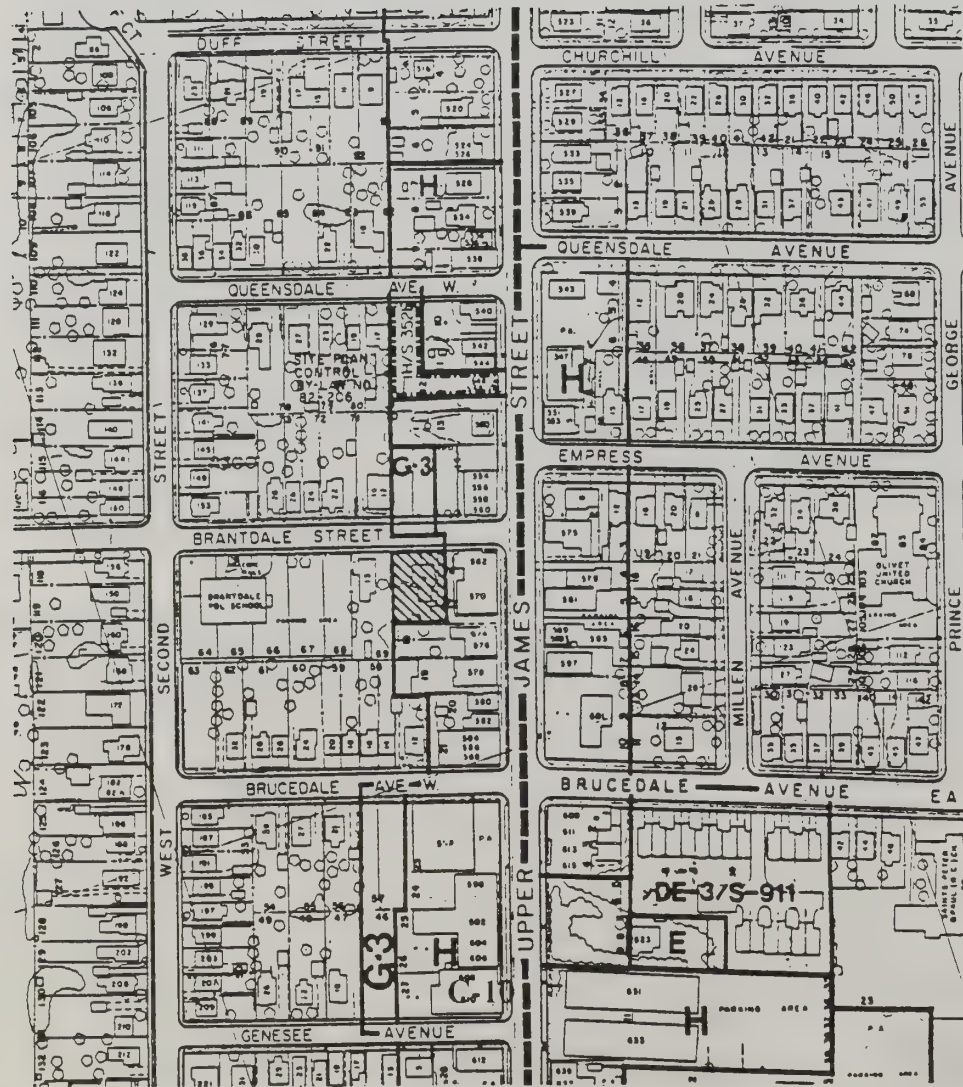
CARRIED.

Appendix "A" referred to in
Section 13 of the Eighteenth Report
of the Planning and Development
Committee for 1992



- Legend**
- | | | |
|----------------|---|--|
| BLOCKS 1 and 2 |  | Proposed modification to the "C" (Urban Protected Residential, etc.) District regulations. |
| BLOCK 3 |  | Proposed further modification to the "D" (Urban Protected Residential- One and Two Family Dwellings, Townhouses, etc.) District regulations. |

Appendix "B" referred to in
Section 14 of the Eighteenth Report
of the Planning and Development
Committee for 1992



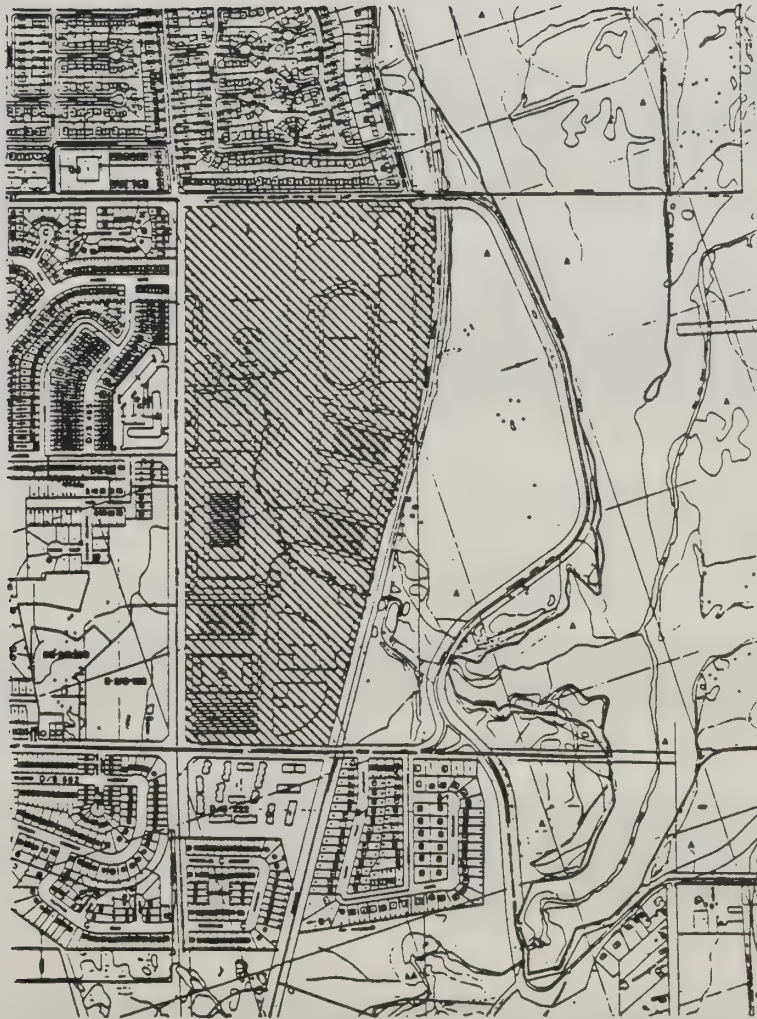
Legend



Site of the Application



Appendix "C" referred to in
Section 15 of the Eighteenth Report
of the Planning and Development
Committee for 1992



Legend



Site of the Application



C1-01-E

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SEVENTH** Report for 1992 and respectfully recommends:

1. That the Second Level Lodging Home Licence Application of Hazel Ross (Clardell Retirement Home) for 185 Delaware Avenue be denied on the grounds that the home is presently in non-compliance with the City's Zoning By-law 6593, as amended, in that there are presently eleven residents occupying the home, two over the allowed capacity of nine.

Confidential background information provided to members of City Council under separate cover.

2. That the Cab Driver Licence Application of Thomas Lebrun, 35 Rosemount, Hamilton, be denied.

This matter was lost on a tie vote of the City of Hamilton Licensing Committee and, in accordance with established policy, is now being submitted to City Council for consideration and disposition.

Confidential Background information provided to members of City Council under separate cover.

REFERRED BACK.

3. That approval be given to the Hairdresser Licence Application of Elvira Krackovic of 533 Main Street East, Hamilton, notwithstanding the fact that the establishment does not comply with the City's Health By-law #4798, in that the basement washroom ceiling height is less than the required 7'-0".

Mrs. Krackovic attended before the City of Hamilton Licensing Committee at its meeting of 1992 October 14 and made application for a Hairdresser Licence at the premises of 533 Main Street East.

The Committee was advised that the height of the ceiling in the basement washroom was 6" less than the 7'-0" required under the Health By-law, and that the ducting in this area actually resulted in some areas being 1'-0" less than the requirement. It noted however that the ceiling in the rest of the basement was of required height.

In view of the above, and in order for Mrs. Krackovic to operate the business which is her livelihood, the City of Hamilton Licensing Committee made the foregoing recommendation. **REFERRED BACK.**

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE
CHAIRPERSON
CITY OF HAMILTON LICENSING
COMMITTEE**

Stella Glover
Secretary

1992 October 14

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FIRST** Report for 1992 and respectfully recommends:

1. After reviewing the submission of the complainant, Clem Valeri, representing T. Valeri Construction Limited, the Council of the Corporation of the City of Hamilton hereby confirms that the Development Charges imposed on the property located at 190 Limeridge Road West as having been properly imposed pursuant to the City of Hamilton's Development Charges By-law 90-74, as amended.
2.
 - (a) That the 1993 Hamilton Spectator Indoor Games grant request in the amount of \$50,000. be approved; and
 - (b) That the grant be funded by way of overdrafting the Grant accounts on a one time basis, to allow future grant requests to be processed through the normal grant process.
3. That approval be given to the request of Mr. Carmelo Chairelli of Carmen King Bulk Foods to install a curtain type enclosure at Stand No. 140-143 at the Hamilton Farmers' Market.
4. That as referred to in Section 11 of the Eleventh Report for 1992 of the Transport and Environment Committee, the City's share of "Edan Heights - Phase 3" Subdivision, at a cost of \$2,250. be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

5. That as referred to in Section 29 of the Eleventh Report for 1992 of the Transport and Environment Committee, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the following projects:
 - (a) Upper Paradise Road east side from Stone Church Road to approximately 187m southerly and from approximately 86m south of Skyview Drive to approximately 83m southerly - independent concrete sidewalk at an estimated gross cost be revised from \$27,700. (OMB No. E920755 dated 1992 August 28) to \$47,700. with a City's share being revised from \$7,964. to \$27,964. with an additional cost of City's share of \$20,000. to be financed from 1992 Capital Levy and the balance of \$19,736., being the Owner's share, remaining unchanged, to be financed by the issuance of debenture for a period not to exceed 20 years.
 - (b) Upper Kenilworth Avenue east side from Landron to Limeridge - concrete curb at an estimated cost of \$46,100., being the City's share be revised to \$56,100. with an additional cost of the City's share of \$10,000. to be financed from 1992 Capital Levy. **TABLED.**
 - (c) Limeridge Road south side from Upper Wellington Street to approximately 263m easterly and from approximately 376m east of Upper Wellington Street to approximately 69m easterly - independent concrete sidewalk at an estimated gross cost be revised from \$50,000. to \$60,000., with a City's share being revised from \$25,588.80 to \$35,588.80 with an additional cost of the City's share of \$10,000. to be financed from 1992 Capital Levy and the balance of \$24,411.20, being the owner's share remaining unchanged, to be financed by the issuance of debenture for a period not to exceed 20 years.
6. That as referred to in Section 34 of the Eleventh Report for 1992 of the Transport and Environment Committee, the acquisition of the part of the property at 631 Rymal Road West required for implementation of the amended Carpenter Neighbourhood Plan, be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".
7. That as referred to in Section 35 of the Eleventh Report for 1992 of the Transport and Environmental Committee, the acquisition of a portion of the following lands required for the extension of Eaglewood Drive in Gagliano Gardens Addition Subdivision in order to implement the Eleanor Neighbourhood Plan, be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands":

Property

Owner

(a) Part of 801 Rymal Road East
Parts 8 & 9, Plan 62R-9927

Gustav Turnewitsch

(b) Part of 819 Rymal Road East
Parts 12 & 13, Plan 62R-9927

Garnet Hyslop
Jean Hyslop

8. That as referred to in Section 5 of the Nineteenth Report for 1992 of the Parks and Recreation Committee, McMaster University be provided with a special sport subsidy of \$25,000. for the upgrading of sports fields for the hosting of the World University Games - Women's Soccer and the agreed community access to campus fields to be financed from Account Centre No. CF 629254007 Baseball Facilities Development.
9. (a) That approval be given to the request of the United Nations Association to use the forecourt, or the Council Chamber in the event of inclement weather, from 2:00 p.m. - 3:30 p.m. on Saturday, 1992 October 24 for a proclamation ceremony for the observance of United Nations Day; and,
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
10. (a) That approval be given to the action taken by the City Clerk in authorizing Scouts Canada to use an area of the City Hall forecourt to park a vehicle for the distribution of apples and the provision of access to first floor washrooms during Scouts Canada Apple Days from 2:00 p.m. on Friday, October 16 until 2:00 p.m. on Saturday, October 17; and,
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
11. (a) That approval be given to the request of the MAD Creative Art School to use the east and west areas of the second floor lobby from 1992 November 2 - 13 for a children's art display entitled "Our Community Our Earth"; and,
(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

12. (a) That approval be given to the request of the Editor in Chief of the Dictionary of Hamilton Biography to use the Council Chamber on Friday, 1992 November 20 at 8:00 o'clock p.m. for a book launching and reception; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
13. That the contract settlement of the Hand Association of Sewer, Watermain and Road Contractors and the International Union of Operating Engineers, Local 793 be received pursuant to the Fair Wage Policy of the City of Hamilton. Copies of the settlement were distributed to the members of the Finance and Administration Committee, and are available from the Committee Secretary upon request.
14. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 October 14, attached herewith and marked Appendix "A", be approved.
15. (a) That the Premier of Ontario and the Solicitor General be petitioned to amend the Fire Department Act to ensure that binding arbitration takes into account the economic circumstances of the municipality when determining contract settlements; and,

(b) That the Association of Municipalities of Ontario be requested to support this petitioning.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -15.

NAYS: Alderman Wilson -1.

CARRIED.

16. That purchase orders be issued for the supply and delivery of Gasoline and Diesel Fuels to various City Departments as and when required to 1994 June 30, in accordance with specifications issued by the Manager of Purchasing and Stores, Hamilton Street Railway and Vendors' tenders, as follows, and that these expenditures be financed through various approved accounts:

Esso Imperial Oil, Willowdale

Gasoline - Unleaded - \$0.4483 per litre
- Premium - \$0.4858 per litre

Petro Canada Inc., Toronto

Diesel - \$0.3864 per litre

Plus applicable taxes

17. (a) That the City of Hamilton host a civic luncheon for the Canadian Olympic Athletes on Sunday, 1992 November 1, at the Hamilton Convention Centre to be followed by their appearance and recognition at the Ti-Cat Football Game at Ivor Wynne Stadium; and,
(b) That the cost for this event not exceed \$1,500. and be charged to the Special Civic Receptions and Dignitaries Hosting Account No. CH55314-84010.
18. That the following resolution from the Town of Newmarket regarding Canadian Unity be received:

WHEREAS Canada is a federation, a union of people in many different regions, in a single country, drawn together by their common interests;

AND WHEREAS our vision of Canada in which our cherished values and the hallmark of our identity - tolerance, compromise, a respect for diversity, openness to others, our social programs and the love of our land are to be protected and strengthened;

AND WHEREAS Canadian Unity means a Canada in which peoples composed of First Peoples, Canadians by birth and Canadians by choice, stand equal and united;

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation of the Town of Newmarket that the Town of Newmarket supports and believes in one Canada, one nation, undivided from sea to sea to sea.

19. For the information of the members of City Council, the Finance and Administration Committee have appointed Ryan Paquette to the French Sub-Committee to fill the one citizen member vacancy created by the resignation of Henriette Déry for a term to expire 1994 November 30th.
20. That the following be added to Section 26 of the Eighteenth Report for 1992 of the Finance and Administration Committee, respecting Selection Procedures for Committees/Boards/Commission which was approved by City Council on 1992 September 29th:
 - "(o.) That all vacancies for unexpired terms of offices which occur as a result of resignations, deaths, absenteeism, etc. be filled in a manner left to the discretion of the appropriate approving body."
21. That the firm of H.M.T. Sales Tax Consultants Inc., of Ancaster, Ontario, be appointed to perform a comprehensive audit of the City's payment records for sales tax rebates not recorded, with particular emphasis on the G.S.T., at a fee of 35% of any recovered unclaimed sales tax.
22. (a) That the following Corporation Policy on Work Accommodation, be approved:
 - (i) The employer will accommodate employees with disabilities contingent upon their individual limitations and capabilities and the availability of employment; and,
 - (ii) All eligible employees who are, through occupational or non-occupational illness/injury, unable to return to regular duties, will be considered for Work Accommodation, of either a temporary or permanent nature.
- (b) For the information of the members of City Council, the Procedures defining implementation of the Work Accommodation Policy, were received as information by the Finance and Administration Committee and are available from the Committee Secretary upon request.
23. That a Special Purpose Committee comprised of three members of City Council, be established to sit as a quasi-judicial tribunal for a Statutory Hearing in accordance with Section 4 of the Fire Department Act respecting the employment of a Firefighter.

24. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 7789/89 on the following terms:
- (a) That the City pay to the Plaintiffs Claudio Di Sante, Angiolina Di Sante, and Tommaso Di Sante, \$3,200., inclusive of damages, interest and costs.
 - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the Law Department;
 - (c) That the Plaintiffs dismiss the action without costs.
25. That leave be granted to introduce the following Bill:
- (a) Bill H-66 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1992 October 22

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Robert Anderson	Senior Systems Analyst (1)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	07/09/92
Mr. Allan Benson	Senior Systems Analyst (1)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	07/09/92
Mr. David Bowley	Truck Driver (D-10)	Public Works	Replacing Mr. D. Ferguson - returned to former position	\$32,945.12	07/09/92
Mr. Scott Bowman	Gardener III (D-7)	Public Works	Replacing Mr. D. Bowley - promoted	\$31,487.04	07/09/92
Mr. Gary Burgess	Captain (C-8)	Fire	Replacing Mr. A. Agostinelli - retired	\$57,553.17	13/09/92
Mr. Noel Cooper	Senior Systems Analyst (1)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	07/09/92
Mr. John Dove	Captain (C-8)	Fire	Replacing Mr. L. Cooper - retired	\$57,553.17	13/09/92
Mr. Robert Jackman	Co-ordinator of Senior Services and Food Services (K)	Culture & Recreation	New Position Council Approved - May 26, 1992	\$47,412.56 to \$55,811.08	05/10/92

Prepared 14/10/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Stephen Jones	Labour/Truck Driver-Rink Attendant II (D-14C)	Culture & Recreation	Replacing Mr. S. Matthews - promoted	\$33,510.88	25/09/92
Mr. David Oliveira	Concrete Finisher (D-12A)	Public Works	Replacing Mr. D. Jamieson - transferred	\$33,259.20	14/09/92
Mr. Steven Sajder	Arena Attendant (M-10)	H.E.C.F.I.	Replacing Mr. A. Stokan - retired	\$35,642.88	31/08/92
Mr. John Whitwell	Cashier (9-C)	Treasury	Replacing Ms. Donna Clague - promoted	\$26,895.96 to \$29,076.32	14/09/92

Prepared 14/10/92

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Elizabeth Isajiv	Solicitor	Law	Resigned	1 year, 1 month	08/09/92
Mr. Charles Kirby	Entertainment Programming/ Sales Manager	H.E.C.F.I.	Terminated	1 year, 2 months	09/09/92
Mr. Neil McFadyen	Assistant Deputy Chief	Fire	Retired	38 years, 2 months	30/09/92
Ms. Carole Morin	Hospitality Sales Executive	H.E.C.F.I.	Resigned	5 months	28/09/92
Mr. Eric Storey	Motor Mechanic I	Public Works	Retired	11 years, 8 months	09/30/92
Ms. Mary Webb	Advertising Promotion & Public Relations Manager	H.E.C.F.I.	Downsized	16 years, 5 months	21/09/92

1992 October 27

1992 October 29

Minutes of the Special Meeting
of Hamilton City Council
Thursday, 1992 October 29
11:25 o'clock a.m.
Webster Room "C"
Hamilton Convention Centre

The Council met.

Present: Mayor Robert M. Morrow, Chairman
Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling,
Anderson, D'Amico, Ross.

Absent: Alderman McCulloch - civic business
Alderman Drury - civic business
Alderman Morelli - civic business
Alderman Charters - regional business
Alderman Jackson - family illness

It was moved by Alderman Cooke and seconded by Alderman Merling that sub-section 4 of Section 2 of the City's Procedural By-law No. 82-203 requiring written notice of a Special Meeting by the City Clerk be invoked in order to permit City Council to meet to consider a resolution dealing with Market Value Assessment. **CARRIED.**

It was moved by Alderman Cooke and seconded by Alderman Merling that the Resolution be now considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino,
Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Merling that City Council advise the Region and Provincial Government that due to the depressed economy and general uncertainty in the community that it is an inappropriate time to consider any changes to the present system of Market Value Assessment and that City Council is opposed to any further consideration of this matter during the present term of City Council.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the resolution be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that leave be granted to introduce Bill H-67: A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Bill H-67 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into the Committee of the Whole to consider Bill H-67.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0. **CARRIED.**

* * * * *

Consideration of the Bill (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0. **CARRIED.**

1992 October 29

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on Bill H-67 be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Bill H-67 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

The meeting adjourned at 11:30 o'clock a.m.

Taken as read and approved

Mayor R. M. Morrow

J. J. Schatz
City Clerk

1992 October 29

CA4 ON HBL AOS
M21
1992

1992 November 10

Minutes of Hamilton City Council
1992 November 10
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

City Council commenced with the playing of the National Anthem.

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Reverend Dr. John Allsop, St. John's United Church led Council in prayer.

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Mayor R. M. Morrow presented a Certificate of Recognition to Pat Dillon in recognition of his co-operation and leadership as Business Manager of Local 105 of the International Brotherhood of Electrical Workers.

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Mayor R. M. Morrow presented Civic Awards to the Hamilton Hoppers Skipping Team for winning the 1992 Ontario Provincial Championships and the 1992 Canadian Championship.

* * * * *

It was moved by Alderman Charters and seconded by Alderman Jackson that the minutes of the meeting of City Council held 1992 October 27 with respect to the tabling of Section 29 (a) ii of the Eleventh Report of the Transport and Environment Committee and Section 5 (b) of the Twenty-First Report of the Finance and Administration Committee for 1992 regarding local improvements on Upper Kenilworth Avenue be amended by deleting the words "for two weeks."
CARRIED.

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The minutes of the meeting held 1992 October 27 were adopted as amended and the minutes of the special meeting held 1992 October 29 were adopted as circulated.

* * * * *

Correspondence:

1. Letter dated 1992 November 5 from Delmar Drive Petitioners respecting parking signs placed on Delmar Drive, east of Laurier Avenue in the Buchanan Park Survey.

Received.

2. Application dated 1992 November 3 from G. Sebastianing, 10 Hempstead Drive, Unit 6, Hamilton, Ontario for a further modification to the "M-14" (Prestige Industrial) District regulations for property at 10 Hempstead Drive, Unit 6, Hamilton, Ontario.

Received.

3. Application dated 1992 November 3 from Enrico Mancinelli and Ricardo Persi, 16 Woodside Drive, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "D" (Urban Protected - One and Two Family, Dwellings, Townhouses, etc.) District for property at 1340, 1342 and 1348 Upper Sherman Avenue, Hamilton, Ontario.

Received.

4. Letter dated 1992 November 2 from S. G. Hollowell, Acting City Clerk respecting an objection to By-law 92-242 regarding property located at the south east corner of Stone Church Road East and Upper Wentworth Street, Hamilton, Ontario.

Received.

5. Letter dated 1992 November 2 from S. G. Hollowell, Acting City Clerk respecting an objection to By-law 92-243 regarding property located at 1630 Upper Gage Avenue and 867 Rymal Road East, Hamilton, Ontario.

Received.

6. Letter dated 1992 November 10 from Grand and Toy Limited respecting the office supply tender referred to in Section 9 of the Finance and Administration Committee report.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Report of His Worship Mayor R. M. Morrow, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

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TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT

Section 18 Re: Red Hill Creek Expressway property acquisitions.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps, -1.

CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding Parking Regulation on Delmar Drive. **CARRIED.**

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following resolution be added to the Twelfth Report of the Transport and Environment Committee as Section 24:

24. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Delmar Drive commencing at a point 1,087 feet east of Columbia Drive and extending to Laurier Drive, and
- (b) That the City Traffic By-law 89-072 be amended accordingly. **CARRIED.**

* * * * *

PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT

Section 1 Re: Arts in the Public Places Policy

It was moved by Alderman Kiss and seconded by Alderman Drury that Section 1 of the Twentieth Report of the Parks and Recreation Committee, Appendix "A" (Municipal Capital Projects and Public Art) be amended by deleting the words "up to 1%" and inserting in lieu thereof "1%" in the Art in Public Places Policy.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Wilson. -4.

NAYS: Aldermen Cooke, Agro, McCulloch, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13. **LOST.**

* * * * *

It was moved by Alderman Charters and seconded by Alderman Merling that Section 1 of the Twentieth Report of the Parks and Recreation Committee be tabled.

Recorded vote.

YEAS: Aldermen Charters, Merling. -2.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -15. **LOST.**

* * * * *

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Merling, Charters. -3. **CARRIED.**

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PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT

Section 15 Re: Zoning Application 92-032 - 719 Knox Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

* * * * *

REPORT OF HIS WORSHIP MAYOR R.M. MORROW - SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-SECOND REPORT

Section 4 Re: Carpeting - Lobby/second floor staircase and council chamber

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Kiss. -1.

CARRIED.

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Section 7 Re: Leasing of Bay Street South and King Street West former Bay\King dealership property

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 9 Re: Purchase Order - Office Supplies

It was moved by Alderman Morelli and seconded by Alderman Cooke that Section 9 of the Twenty-Second Report of the Finance and Administration Committee be referred back with instructions that the four tenderers have an opportunity to make presentations to the Finance and Administration Committee. **CARRIED.**

<p>RESOLUTIONS</p>

Section 1 Re: Second Level Lodging Home Licence Application re: 185 Delaware, Hazel Ross.

It was moved by Alderman Cooke and seconded by Alderman Drury that Section 1 of the Seventh Report for 1992 of the City of Hamilton Licensing Committee, which was approved by City Council on 1992 October 27th respecting the denial of a second level lodging home licence application for 195 Delaware Avenue, be reconsidered. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Section 1 of the Seventh Report for 1992 of the City of Hamilton Licensing Committee, be referred back. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Report of His Worship Mayor R. M. Morrow, the Finance and Administration Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

1992 November 10

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-87, A-88, A-89, A-90, A-91.
C-119, C-120.
H-68, H-69.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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City Council then adjourned at 8:25 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

S. G. Hollowell, Acting City Clerk
1992 November 10

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1992 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the west side of Rosslyn Avenue North commencing at a point 241 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom be removed; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on the east side of Frederick Avenue commencing at a point 72 feet north of Britannia Avenue and extending to a point 21 feet northerly therefrom; and
(b) That a "Permit Parking" regulation be implemented on the west side of Frederick Avenue commencing at a point 72 feet north of Britannia Avenue and extending to a point 22 feet northerly therefrom; and
(c) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Callaghan, No. 62 Frederick Avenue; and
(d) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of West Avenue South commencing at a point 76 feet north of Hunter Street East and extending to a point 20 feet northerly therefrom be removed; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

4. (a) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Province Street North, commencing at a point 101 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 130 feet north of Cannon Street East and extending to a point 27 feet northerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Maria Cino, No. 435 Cannon Street East; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That the existing "No Stopping" regulation on the north side of Rebecca Street commencing at Ferguson Avenue North and extending to a point 108 feet easterly, be removed and that one "one hour parking meter" be installed in this area; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Courtland Avenue; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That westbound traffic on Gildea Street be required to stop for northbound and southbound traffic on East 25th Street; and
(b) That westbound traffic on Seeley Avenue be required to stop for northbound and southbound traffic on East 25th Street; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.

9. That the application of Mr. Bill Pentilchuk to lease a portion of the boulevard of Balmoral Avenue North adjacent to No. 1145 Main Street East be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$58.81 per space per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$27. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$176.44 processing fee, as approved by the City Council on 1988 January 12.
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
10. That the application of Mr. Ted Vietri to lease a portion of the boulevard of East 35th Street adjacent to Nos. 8 to 14 and 24 to 30 East 35th Street be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current annual rate is \$58.81 for the first two spaces and \$29.41 for each additional space up to 10 spaces per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.

- (b) the owner pays a one time \$27. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$176.44 processing fee, as approved by the City Council on 1988 January 12.
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
11. (a) That in accordance with the request by the Hamilton Street Railway Company:
- i. the following new bus stop be approved:

Route 5 Delaware

Inbound - add - Greenhill Avenue, north side, 30 feet east of the east curb line of Summercrest Drive (N/S).
 - ii. the removal of the following bus stop be approved:

Route 5 Delaware

Outbound - delete - Greenhill Avenue, south side, opposite Summercrest Drive bus loop, 30 feet east of the east curb line of Summercrest Drive (N/S).
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

12. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A" attached hereto, be approved:
 - (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees as outlined in Appendix "A", be set for the encroachments.
13. (a) That By-law No. 92-152 be amended by substituting all references to Plan 62R-11929 to Plan 62R-11979.
 - (b) That the by-law to carry out the amendment be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
14. (a) That the City lands known as Part 2, Plan 62R-12045 be incorporated into Elite Drive (File No. S718-67) as follows:

Street Name	Description of Lands Being Incorporated	Reason for Being Incorporated	Financial Implications
Elite Drive	Part of Lot 10, Con. 8 (former geographic Township of Barton) designated as Part 2 Plan 62R-12045	To provide access and hook-up between Elite Drive (as est'd City of Hamilton By-law 92-42) and Elite Drive as est'd by Plan 62M-715	N/A

- (b) That the by-laws to carry out the amendment be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

15. That purchase orders be issued for the provision of equipment and operators as and when required during the 1992-1993 and 1993-1994 winter season, in accordance with specifications issued by the Manager of Purchasing and Vendors' quotations, and that these expenditures be financed through various approved accounts, as follows:

<u>Nucan Contracting & Excavating</u>	<u>1992-1993</u>	<u>1993-1994</u>
1 Loader with 4 cu. yd. bucket	\$ 82.00	\$ 87.00
 <u>Cormar Contracting</u>		
2 Loaders with 4 cu. yd. buckets	\$110.00	\$115.00
 <u>N-R-G- o/a 989847 Ontario Ltd.</u>		
1 Grader with Snow Plow & Wing	\$140.00	\$140.00

Hourly rates GST extra at 7%

16. That City Council enact the By-law to authorize construction of local improvements of sidewalks on Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from approximately 86 m south of Skyview Drive to approximately 83 m southerly.
17. That the Board of Education for the City of Hamilton, the Hamilton-Wentworth Roman Catholic Separate School Board and the Wentworth County Board of Education be requested to investigate the feasibility of co-ordinating Professional Development days for elementary schools within the Hamilton-Wentworth Region.

18. (a) That an Offer to Purchase, executed by Regional Officials on 1992 October 13, and scheduled for closing on or before 1993 January 12, for the purchase by the Region of a parcel of land located along the northerly limit of King Street East west of Pottruff Road, containing 7.812 hectares (19.66 acres), shown as Parts 1, 2, 3 and 4 on Plan 62R-12235 required for the Red Hill Creek Expressway, be approved and completed and the funds derived from this sale of \$83,800. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That an Offer to Purchase, executed by Regional Officials on 1992 October 13, and scheduled for closing sixty (60) days after the enactment of a by-law to sell the closed road allowance shown as Parts 2, 3 and 7 on Plan 62R-11800, for the purchase by the Region of a closed road allowance, containing 0.418 hectare (1.03 acres), shown as Parts 2, 3 and 7 on Plan 62R-11800 required for the Red Hill Creek Expressway, be approved and completed and the funds derived from this sale of \$148,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (c) That the sum of \$90,000. be deducted from the total sale price of sub-sections (a) and (b) above of \$231,800. to repay the Region for monies provided by the Region to the City in order to undertake the Red Hill Creek Master Recreation Plan Investigation, with the understanding that these monies would be applied against future City of Hamilton purchases by the Region.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps, -1.

CARRIED.

19. (a) That the following complement adjustments occur in the Department of Public Works:

Superintendent of Streets and Sanitation	(1 F.T.E.)
Foremen/Woman I	<u>(5 F.T.E.)</u>
Total eliminated	(6 F.T.E.)

General Foreman/Woman	-	<u>5 F.T.E.</u>
Net Change		(1 F.T.E.)

- (b) That this restructuring be forwarded to the Finance and Administration Committee for its information.
20. (a) That a traffic signal be installed at the intersection of Centennial Parkway and Goderich Road; and
- (b) That a traffic signal be installed at the intersection of Glen Echo Drive/Queenston Mall Entrance at Nash Road South.
- (c) That permission to relocate and remove if necessary one City of Hamilton tree on the east side of Nash Road at the Queenston Mall entrance.
- (d) That the cost of road alterations required at the above two locations be funded from the 1992 Road Reconstruction account at a cost not to exceed \$70,000.
21. (a) That the estimated City's share of \$263,475. for the proposed storm sewer works to be constructed in conjunction with the new West Mountain Twin Pad Arena off of Chedmac Drive, be approved;
- (b) That the Finance and Administration Committee recommend the source of funding for the costs related to the construction of this storm sewer.
- (c) That the Director of Property be directed to obtain an Easement from Chedoke Hospital Corporation in favour of the Region for the portion of the proposed storm sewer which is to be constructed on the lands of the Chedoke Hospital Corporation.

22. (a) That permission be granted for the removal of a City tree located at the south-west corner of the site at 322-330 Charlton Avenue West - Artaban Non-Profit Homes Inc.
- (b) That Artaban Non-Profit Homes Inc. be required to pay \$3,100. for the removal, stumping and replacement cost of this City tree.
23. That leave be granted to introduce the following Bills:
- (a) **Bill A-87** By-law to Amend By-law No. 92-152 regarding Fieldway Drive
- (b) **Bill A-88** By-law to Incorporate Parts 2, Plan 62R-12045 into Elite Drive
- (c) **Bill A-89** By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalk on the east side of Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from 86 m south of Skyview Drive to approximately 83 m southerly, as described in Schedule "A"
- (d) **Bill A-90** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (e) **Bill A-91** By-law to Amend By-law No. 89-72 to Regulate Traffic
24. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Delmar Drive commencing at a point 1,087 feet east of Columbia Drive and extending to Laurier Drive, and
- (b) That the City Traffic By-law 89-072 be amended accordingly.

ADDED AND CARRIED.

1992 November 10

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1992 November 2

Appendix "A" as referred to in
Section 12 of the TWELFTH Report
of the Transport and Environment
Committee for 1992

Location	Type of Encroachment	Solicitor/ Agent	First Year/ Annual Fee	File No.
71 Oak Avenue	Wood Steps measuring 5.63' x 3.5'	Kosar & Palios 100 Main St. E. Hamilton L8N 3W6	\$112./20.	T103-50 (977)
39 Hilda Avenue	Frame garage onto the Public Assumed Alley measuring 10.0' x 16.73'	Simpson, Watson & Vujinovic 950 King St. W. Hamilton L8S 1K8	\$112./\$20	T103-50 (949)
206 West Ave. N.	Concrete porch & steps measuring 4.5' x 18.4'	Agro, Zaffiro Parente Orzel & Baker Box 2069, Station A Hamilton L8N 3G6	\$112./\$20	T103-50(1020)
259 Ottawa St. N.	Frame awning onto the road allowance of Campbell Avenue measuring 2.0' x 10.5'	Ross & McBride Barristers & Solicitors Box 907 Hamilton L8N 3P6	\$46./\$50.	T103-50(993)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTIETH** Report for 1992 and respectfully recommends:

1. That the Art in Public Places Policy: City of Hamilton attached hereto as Appendix "A", be approved.
2.
 - (a) That an Offer to Purchase, executed by Regional Officials on 1992 October 13 and scheduled for closing on or before 1993 January 26, for the purchase by the Region of Part 22 on Plan 62R-11742, containing 0.195 hectare (0.4818 acre), required for the Red Hill Creek Expressway, be approved and completed and the funds derived from this sale of \$55,000. be credited to Account No. CH4X501 00201 (Reserve for Parkland Acquisition). Subject property forms part of the proposed T.B. McQuesten Multicultural Gardens.
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
3.
 - (a) That the City of Hamilton renew the Lease Agreement which expired on 1991 December 31 with Her Majesty the Queen, represented by the Minister of the Environment (National Water Institute), for the use of City lands lying immediately east of 57 Beach Boulevard.
 - (b) That the new term commence 1992 January 1 and expire 1993 December 31, for an annual rent of \$1. plus any applicable taxes and rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rental).
 - (c) That either party has the right to terminate the agreement on thirty (30) days notice.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement subject to the terms and conditions of the City Solicitor.

4. (a) That a purchase order be issued to Memphis-Kendall Builders Inc., Toronto in the amount of \$376,000. for the construction of a new club house for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. grounds (Hamilton Amateur Athletic Association grounds).
- (b) That approval be subject to the Hamilton Tennis Club contributing the difference between the Parks and Recreation Committee's approved budget (\$300,000.) and the total net budget cost (after G.S.T. rebate).
- (c) That a contract be entered into satisfactory to the City Solicitor.

5. (a) That the following positions be deleted from the Culture and Recreation Department, Cultural Division, Dundurn Castle:

Assistant Head Historical Interpreter	(2.06 F.T.E.)
Head Historical Interpreter	(1. F.T.E.)
Monitor	(.33 F.T.E.)
TOTAL	(3.39 F.T.E.)

- (b) That the complement of existing Curatorial Assistants be increased by 2 F.T.E. for Dundurn Castle.

- (c) That the following new classifications be added to the Culture and Recreation Department, Cultural Division, Dundurn Castle:

Curatorial Marketing Co-ordinator - for Division	1 F.T.E.
Museum Support Clerk - Dundurn Castle	.5 F.T.E.
TOTAL	3.5 F.T.E.

- (d) That the new positions be referred to the Human Resources Centre for reclassification.
- (e) That the positions be posted and filled.
- (e) That any adjustments to salaries and wages due to restructuring/reclassifications be accommodated within the current budget.

1992 November 10

- (f) That the new organizational structure as outlined on Appendix "B", attached hereto, be approved.
6. That authorization be granted to the Director of Culture and Recreation to hold a fireworks display on 1992 December 1 in the Sackville Hill Park enclosed field, in conjunction with the Grand Opening Celebrations of the Sackville Hill Seniors Recreation Centre.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 November 3

1992 November 10

Appendix "A" as referred to in
Section 1 of the TWENTIETH Report
of the Parks and Recreation
Committee for 1992

ART IN PUBLIC PLACES POLICY

City of Hamilton

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October 1992

SUMMARY OF OBJECTIVES AND RECOMMENDATIONS

Mission Statement

The City of Hamilton will initiate, implement and support a public art programme to encourage public art projects which will humanize and enhance the environment in which its citizens live.

Objectives

1. URBAN DEVELOPMENT:

To support and encourage the development of Hamilton as a desirable urban location for residency, business development, cultural activity and tourism.

2. INTEGRATION:

To encourage productive collaborations between the arts community and the larger community.

3. PROCESS:

To provide an organizational structure for the review, administration and processing of public art projects.

Recommendations

1.0 ADMINISTRATION:

- 1.1 That City Council consider the appointment of a Public Art Commission as an integral part of its public art programme in accordance with the structure outlined in Schedule A;
- 1.2 that the co-ordinating staff function associated with a public art programme be established within the Department of Culture & Recreation;
- 1.3 that all departments inform the arts co-ordinator of public art opportunities originating in those departments;
- 1.4 that the Public Art Commission receive administrative assistance from the City Clerk's Department.

2.0 SELECTION PROCESS FOR PUBLIC ART:

- 2.1 That a selection process which is fair, promotes excellence, and is tailored to meet the needs of each project be used in choosing public art for those projects;

- 2.2 that the Public Art Commission decide, on a project by project basis, the appropriate selection method.

3.0 DONATIONS OF ART:

- 3.1 That individuals or groups intending to make a donation submit written proposals for review by the Public Art Commission;
- 3.2 that the Public Art Commission make recommendations consistent with established criteria;
- 3.3 that the Public Art Commission review all requests, then forward recommendations to committee and Council.

4.0 SITING/INSTALLATION OF PUBLIC ART:

- 4.1 That any instance of siting/installation, re-location or removal of a work of art owned by the City of Hamilton or located on property of the City of Hamilton, be subject to review by the Public Art Commission and relevant City Departments.

5.0 INVENTORY OF PUBLIC ART:

- 5.1 That a municipal Public Art Inventory be actively maintained in a registry with records management principles compatible with those of the City's museums;
- 5.2 that any items identified as artifacts, archival materials or architectural pieces be referred to the appropriate agencies.

6.0 COLLECTION GUIDELINES:

- 6.1 That the Public Art Commission develop an art collection policy for the City of Hamilton in co-operation with established committees and jurisdictions.

7.0 MUNICIPAL CAPITAL PROJECTS AND PUBLIC ART

- 7.1 That in order to establish a long term funding base, an allocation of up to one percent of construction costs for all municipal capital projects be used for the acquisition and maintenance of public art;
- 7.2 that affected City Departments be responsible for identifying those capital projects in which public art will be included, on the basis of the project's public visibility, public use and its civic importance;

- 7.3 that mechanisms be established to publicize public art opportunities to artists, with emphasis on local artists' participation;
- 7.4 that artists be involved from the earliest stages of any project identified for a public art component as integral members of the design team.

8.0 PUBLIC ART - PRIVATE DEVELOPMENT PROJECTS:

- 8.1 That City Departments, in co-operation with the Public Art Commission, establish methods of entrenching a partnership with the corporate development sector to encourage public art projects in Hamilton.

9.0 EDUCATION

- 9.1 That staff and the Public Art Commission provide opportunities for the general education of the community about public art issues;
 - 9.2 that staff and the Public Art Commission include an educational component within the scope of each public art initiative undertaken in City capital projects;
 - 9.3 that staff and the Public Art Commission maintain relationships with the Boards of Education, Art Gallery of Hamilton Education Department and other education providers.
-

PREAMBLE

Through the initiative taken by the Arts Advisory Sub-committee in 1989 and the subsequent work of Sheila Greenspan, Chuck Renaud, Trevor Hodgson, Bob Mason, Robert Swain, Marek Radojewski, Cameron Nolan, Ted Pietrzak, Karen Mills, Delores Prendergast, other community representatives, various civic committees - notably the Hamilton Historical Board - and the staff of several city departments, the Art in Public Places Policy has been prepared for the consideration of Committee and Council.

It was the intention of all participants to develop a document which would be of special assistance to our Municipal government and of lasting benefit to the community at large.

The steering committee hopes that the policy will be approved as the working drawing of a practical structure for creating, maintaining and preserving a unique and welcoming Hamilton.

With the approval of the policy by City Council, a public art programme will be established. Its responsibilities will include the drafting of the more detailed guidelines and recommendations which will be required.

There has been an understanding of the economic realities with which Hamiltonians and their government are now dealing; consequently, the policy recommends the re-direction of a small percentage of existing funds for the specialized capital projects represented by the work of the artists of our region. Use is also made of existing staff resources. It is expected that the scope of the programme will be designed to make effective use of those resources without compromising capital project budgets or staff capacities.

Sincere thanks are extended to those volunteer members of the steering committee who, as a group, provided approximately 500 hours of their time to discuss, consider and recommend action on the public art issues assessed to be most relevant to Hamilton.

MISSION STATEMENT

The City of Hamilton will initiate, implement and support a public art programme to encourage public art projects which will humanize and enhance the environment in which its citizens live.

PRINCIPLES

A public art policy and programme is based on the general principles contained in the City of Hamilton's POLICY FOR THE ARTS, i.e.:

PARTNERSHIPS

The City of Hamilton recognizes that it is one agency among many, that it shares responsibility for local arts development, and acknowledges that co-operation with its partners is in the best interests of all concerned.

EXCELLENCE

The City of Hamilton encourages the pursuit of excellence in the creative efforts of individuals and organizations at all levels of artistic activity.

AWARENESS AND APPRECIATION

The City of Hamilton has responsibility for enhancing and facilitating the general public's awareness of, and appreciation for, the local arts environment.

ACCESS

The City of Hamilton has a role in ensuring public access to arts activities, services and venues.

DEFINITIONS

PUBLIC PROPERTY

- 1.1 **Publicly Accessible Property - PUBLIC:** Municipal government buildings and lands, or portions thereof, accessible to the general public including but not limited to lobbies, hallways, public rooms, adjacent exterior approaches and plazas, public highways, roadways and easements, parks, exterior architectural treatments and major public sight lines.
- 1.2 **Publicly Accessible Property - PRIVATE:**
- (a) Exterior or outdoor areas of privately owned/controlled buildings and land which are accessible to the public during business and/or leisure hours. These areas may include but are not limited to exterior building surfaces, walkways, plazas, and major public sightlines.
 - (b) Interior areas of privately owned/controlled buildings which are accessible to the general public during business and/or leisure hours. These areas may include but are not limited to lobbies, courtyards and malls.

NOTE 1: 1.1 and 1.2, for the purposes of this policy, hereinafter will be termed "**PUBLIC PLACES**".

NOTE 2: All public art issues will, when appropriate, be reviewed by other jurisdictions when legislation or established policy requires this review.

PUBLIC ART

- 1.3 For the purposes of this policy, **public art** is defined as: creative works and/or designed amenities which are intended for installation and meaningful integration in public places as previously defined; which are temporary or permanent; which are constructed in traditional or contemporary materials and forms. Included are works of art owned by the City of Hamilton and works of art owned privately but situated in public places. Excluded are plaques, museum collections and archival collections.

OBJECTIVES

1.0 URBAN DEVELOPMENT

To support and encourage the development of Hamilton as a desirable urban location for residency, business development, cultural activity and tourism.

Specifically,

- 1.1 to encourage Hamilton to excel as a humane, friendly, functional and balanced environment;
- 1.2 to initiate and encourage participation and dialogue among affected interest groups regarding the design, appearance, use and conservation of public places;
- 1.3 through public art projects, to support opportunities for the education and cultivation of audiences for the arts and for the development of arts-related businesses.

2.0 INTEGRATION

To encourage productive collaborations between the arts community and the larger community.

Specifically,

- 2.1 to provide a climate in which public art projects are a means of integrating artistic expression into the public domain;
- 2.2 to promote the involvement of artists at the earliest design stages of a project;
- 2.3 to provide opportunities for this region's artists to contribute to Hamilton's development.

3.0 PROCESS

To provide an organizational structure for the review, administration and processing of public art projects.

Specifically,

- 3.1 to create an objective selection process within a comprehensive public art programme;
- 3.2 to address maintenance and conservation issues affecting Hamilton's public art heritage;
- 3.3 to consult with all authorities having shared jurisdiction regarding public art issues;
- 3.4 to promote the development of co-operative funding mechanisms which involve government and the private sector for the implementation of the public art programme.

ADMINISTRATION

Recommendation:

- a) That City Council consider the appointment of a PUBLIC ART COMMISSION as an integral part of its public art programme in accordance with the structure outlined in Schedule A;
- b) that the co-ordinating staff function associated with a public art programme be established within the Department of Culture & Recreation;
- c) that all departments inform the arts co-ordinator of public art opportunities originating in those departments;
- d) that the Public Art Commission receive administrative assistance from the City Clerk's Department.

BACKGROUND: Public art initiatives have been dealt with in the past on an ad hoc basis. Proposals from the private sector were reviewed by the Finance and Administration Committee under its mandate, and by City Council. This approach has left committee and Council vulnerable to strong, often negative, expressions of public opinion regarding process and results.

The City has financially contributed in a significant way to at least one public art project recently. In 1990 the Hamilton and Region Arts Council received a grant of \$25,000 from the City in order to administer the Hamilton Eaton Centre Sculpture Competition recently completed.

Where process is concerned, lack of a comprehensive policy coupled with an ad hoc system has produced a number of difficulties which can be remedied with adoption of this policy. These difficulties have been identified as:

- no guidelines for collection, documentation, donations, commissions, competitions, siting, selections, or funding;
- lack of a complete inventory of art owned by the City;
- no provisions for maintenance and conservation;
- unclear ownership or provenance.

In 1988, City Council appointed a citizen volunteer group to advise on matters related to the arts - the Arts Advisory Sub-committee. This sub-committee reports to the Parks and Recreation Committee.

A municipal arts policy developed by the sub-committee was approved by City Council 1989 October 10 ("Policy For The Arts"). In the policy, a recommendation was made that a separate public art policy be developed.

ADMINISTRATION (continued)

This project began in February 1990 with the constitution of the Art in Public Places Steering Committee under the guidance of the Arts Advisory sub-committee. A body similar to the steering Committee should be established to continue work on public art issues.

Current jurisdictions within City Hall which have an established interest in public art include the Departments of Property and Real Estate (Architectural Division, Property Maintenance), Public Works (Parks Division, Community Development), Planning (Urban Design and LACAC), and Culture and Recreation (Arts Advisory Sub-committee, Parks and Recreation Citizens Advisory Committee, Hamilton Historical Board).

The Arts Co-ordinator, in collaboration with other affected departments, will administer the programme from the staff perspective.

The Public Art Commission will report on a regular basis **through the Arts Advisory Sub-committee** to the Parks and Recreation Committee, and to other affected Committees of Council as required.

SCHEDULE "A"

MANDATE OF THE PUBLIC ART COMMISSION

The Public Art Commission will build productive partnerships with the public, the arts community, business, the education system and municipal government to realize the policy objectives.

The Commission will develop, monitor and assist in the implementation of the municipal public art programme and act as a resource to Council as required.

The Commission will design a long-range plan for public art in Hamilton.

COMPOSITION OF THE COMMITTEE

The successful, diverse membership of the Art in Public Places Policy Steering Committee demonstrated that it is important to bring together again in the Public Art Commission a wide representation of all stakeholders: the general public, visual and performing artists, the business community, architects, landscape architects, urban designers, planners and educators.

GUIDELINES:

It is essential that the Commission have strong representation by visual arts practitioners.

It is recommended that the Commission have nine citizen members representing the fields of visual art, architecture, the private development industry, urban design, education.

It is further recommended that City Council, the Arts Advisory Sub-committee, Hamilton Historical Board, Central Area Plan Implementation Committee, Urban Design Committee, L.A.C.A.C., Library Board and HECFI appoint their representatives to the Public Art Commission.

Staff from the following departments would provide active liaison with the Trust:

- Department of Culture & Recreation
- Department of Public Works
- Property Department
- Planning Department
- City Clerk's Department

Schedule "A" continued

CONFLICT OF INTEREST

With the development and implementation of projects, conflict of interest concerns will surface. Therefore, members of the Public Art Commission (and their immediate families) cannot participate as competitors nor be commissioned for any project monitored by the Commission during their terms of service. The conflict of interest guidelines used by the City of Hamilton will apply to the Commission's members and their activities.

SELECTION PROCESS FOR PUBLIC ART

Recommendation:

- a) **That a selection process which is fair, promotes excellence, and is tailored to meet the needs of each project be used in choosing public art for those projects;**
- b) **that the Public Art Commission decide, on a project by project basis, the appropriate selection method.**

BACKGROUND

As the City of Hamilton proceeds to include opportunities for public art in the design and construction of its capital projects (both new construction projects and major renovations), it will be necessary to follow a selection process which produces the best results in a fair manner. These opportunities for public art in capital projects take the form (for example) of an artist being involved in the design of landscape treatments, of light fixtures, or more traditionally, of murals and sculptures.

The importance of methods used in the selection of successful proposals is crucial to achieving excellence, integrity and respect in a public art programme. In addition, consideration of the budget and the public importance of any capital project is essential for the choice of the appropriate selection process. Selection methods are (1) commissions, (2) open competitions and (3) invitational competitions.

DONATIONS OF ART

RECOMMENDATION:

- a) That individuals or groups intending to make a donation submit written proposals for review by the Public Art Commission;
- b) that the Public Art Commission make recommendations consistent with established criteria. Factors to be considered are:
 - the conformance of each piece to the terms of the Collection Policy of the City of Hamilton
 - the professional quality of the work
 - the absence of any donor conditions or restrictions
 - provenance of art work
 - the donor's clear legal title to the work
 - maintenance requirements
 - suitability of materials
 - availability of a suitable site for display/installation
 - the inclusion of slides, photographs, artist's drawings or a maquette with the written proposal
 - conformance of the piece (where applicable) to structural and fabrication standards, and to safety codes
 - staff research/comment.
- c) that the Public Art Commission review all requests, then forward recommendations to committee and Council.

BACKGROUND:

The Finance and Administration Committee has traditionally reviewed donation proposals received by the office of the City Clerk. Donations have, in the past, generally been accepted on the terms suggested by the donor. There has been no art collection policy for the Corporation which would limit the acceptance of gifts by their quality, size, medium, subject matter or maintenance requirements. Currently the City has in its inventory a wide range of visual artworks, ethnic craft work and memorabilia.

SITING/INSTALLATION OF PUBLIC ART

Recommendation:

That any instance of siting/installation, re-location or removal of a work of art owned by the City of Hamilton, or located on the property of the City of Hamilton, be subject to review by the Public Art Commission and relevant City Departments.

BACKGROUND:

Issues related to siting are of fundamental importance to public art. Many successful projects are created especially for a particular site. The physical, geographic, social context and historical context within which a work of art is situated has an impact on how the piece is seen, valued, treated and accepted by the community. Such things as pedestrian or vehicular circulation patterns, weather, etc. have direct implications for the siting of public art.

A review panel consisting of the Public Art Commission in co-operation with affected Departments will recommend siting, re-location and de-accessioning with the knowledge that works cannot be sited/installed with a guarantee of permanent placement.

Other considerations include:

- future physical changes to the site
- environmental damage to the work
- physical hazards
- a request of the artist or donor
- inappropriateness of original siting
- legal implications including the moral rights of the artist as detailed in the Copyright Act, R.S.C. 1985, c. C-42, as amended.

INVENTORY OF PUBLIC ART

Recommendation:

- a) That a municipal Public Art Inventory be actively maintained in a registry with records management principles compatible with those of the City's museums;
- b) that any items identified as artifacts, archival materials or architectural pieces be referred to the appropriate agencies.

BACKGROUND:

An essential part of a public art programme is an inventory of all works in the ownership of the City of Hamilton. An inventory provides not only a listing of objects, but also information about materials used, condition of the work, description of the work, biography of the artist, information about the donor and terms of the gift, location of the work, description of the setting, storage and maintenance requirements, and any display requirements. The inventory should also contain a photograph of each work in the collection. The inventory should be reviewed and updated on a regular basis.

This was recognized and approved by the Parks and Recreation Committee at its meeting of 1990 May 01 in the recommendation:

"That the Director of Culture and Recreation be directed to co-ordinate the compilation of a complete inventory of public artwork in the ownership of the City of Hamilton."

In addition, the Committee requested that this inventory be expanded to include the City's collection of photographs. The Committee also requested that a gift or loan of a painting of Mayor Colin Ferrie's home (Hamilton's first Mayor) to the Art Gallery be investigated with a view to returning the painting to the City. Further, the Committee requested that this inventory should survey all City Hall offices, including that of the Mayor.

In January 1992, a contract was entered into with the Ministry of Community and Social Services' "Social Service Employment Programme". An employee was retained for a one-year period to establish the City's first art inventory.

COLLECTION GUIDELINES

RECOMMENDATION:

That the Public Art Commission develop an art collection policy for the City of Hamilton in co-operation with established committees and jurisdictions.

BACKGROUND

In the past the City has not actively collected fine art through the allocation of specific funds for that purpose. However the City has made a practice of accepting donations of fine art. With the percent for art funding mechanism, the City will acquire works of art for its public places. Collection guidelines will address such issues as maintenance, conservation, storage, exhibition, loan and contract.

This direction is consistent with the present situation governing the collections of the City's museums. Significant collections belong to each of the five City of Hamilton Museums. The Museums Collection Policies are specific in their mandate and do not address the acquisition of works of art through donations to the office of the Mayor or City Clerk's Department.

MUNICIPAL CAPITAL PROJECTS AND PUBLIC ART

RECOMMENDATION:

- a) That in order to establish a long term funding base, an allocation of up to one percent of construction costs for all municipal capital projects be used for the acquisition, conservation and maintenance of public art;
- b) that affected City Departments be responsible for identifying those capital projects in which public art will be included, on the basis of the project's public visibility, public use and its civic importance;
- c) that mechanisms be established to publicize public art opportunities to artists, with emphasis on local artists' participation;
- d) that artists be involved from the earliest stages of any project identified for a public art component as integral members of the design team.

BACKGROUND

In a comparative analysis of the funding of public art programmes in North American cities, Canadian provinces and American states and counties, it has been found that successful programmes were funded using the percent for art method. Most recently Edmonton, Alberta and Waterloo, Ontario have approved this funding mechanism for art in their municipal capital projects.

Every capital project may not be suitable for public art treatments. Therefore, the pooling of funds in a specific account will allow some flexibility in the disposition of funds. These funds would be most appropriately directed to projects with a high degree of public use and visibility (see "Definitions").

Such funds are used for the creation of original artwork, specifically for artist's fees, construction, installation and maintenance of the piece. In the case of a competition, a budget allocation is made for finalists' maquettes (project models). Staff administrative costs are not taken from this account.

Many cost-effective and innovative approaches to public art requirements are possible when an artist is involved at the early design stages. Normal construction needs such as floors, utilities ducting and interior surface treatments afford excellent opportunities for creative work. Thus public art is not restricted to being an embellishment or decorative afterthought.

Affected City departments will be responsible for identifying those capital projects in which public art will be included based on the project budget and its conformity to the definition of "Public Place". These departments should be advised that the inclusion of public art

components in capital projects require that at the earliest possible stage an artist be involved as a member of the design team. In this collaborative approach, the artist's work will be an integral part of the project design rather than a costly and possibly unsuccessful afterthought. Public art programmes routinely develop registries of artists who are interested in and experienced in public art. Such registries are actively maintained as resource tools.

The Public Art Commission will assess whether the project calls for a direct commission, an open competition, or an invitational commission. Open competitions require extensive staff time and resources. Invitational competitions require that the Public Art Trust build and keep current a slide registry/directory of artists and their work.

The Public Art Commission will organize AD HOC selection committees/juries according to the needs of each project.

PUBLIC ART - PRIVATE DEVELOPMENT PROJECTS

RECOMMENDATION:

That the City Departments, in co-operation with the Public Art Commission, establish methods of entrenching a partnership with the corporate development sector to encourage public art projects in Hamilton.

BACKGROUND

Long term solutions for public art in Hamilton will depend on partnerships between the City and private developers. The initiative in this process begins with the City's leadership.

There are public art components featured in several private development projects in Hamilton. Notable recent examples include the Evan Penny sculpture in the lobby of the CIBC Towers, and the commissioned Susan Schelle/Mark Gomes piece installed in the rotunda of the Eaton's Centre. A restored example can be found in the stained glass windows celebrating Hamilton's character in the lobby of the Pigott Building.

Many private developers have chosen to continue a long tradition of enhancing their projects through public art. It has been demonstrated that public art produces benefits for the developer: increased property value; distinctive identification trademarks; marketing and promotion components; and tangible expressions of leadership in structure and project design.

EDUCATION

RECOMMENDATION:

- a) That Staff and the Public Art Commission provide opportunities for the general education of the community about public art issues;
- b) that Staff and the Public Art Commission include an educational component within the scope of each public art initiative undertaken in City capital projects.
- c) that staff and the Public Art Commission maintain relationships with the Boards of Education, Art Gallery of Hamilton Education Department and other education providers.

BACKGROUND:

In order to encourage receptivity to and support for public art it is essential that the community be made aware of these enhancements of public spaces. The community should also be encouraged to take an active role in projects which have an impact on their neighbourhoods. It has been demonstrated through examples in other cities that a successful expression of public art is one which citizens enjoy, understand and accept. In this way, the potential for vandalism is decreased and the potential for community pride is established.

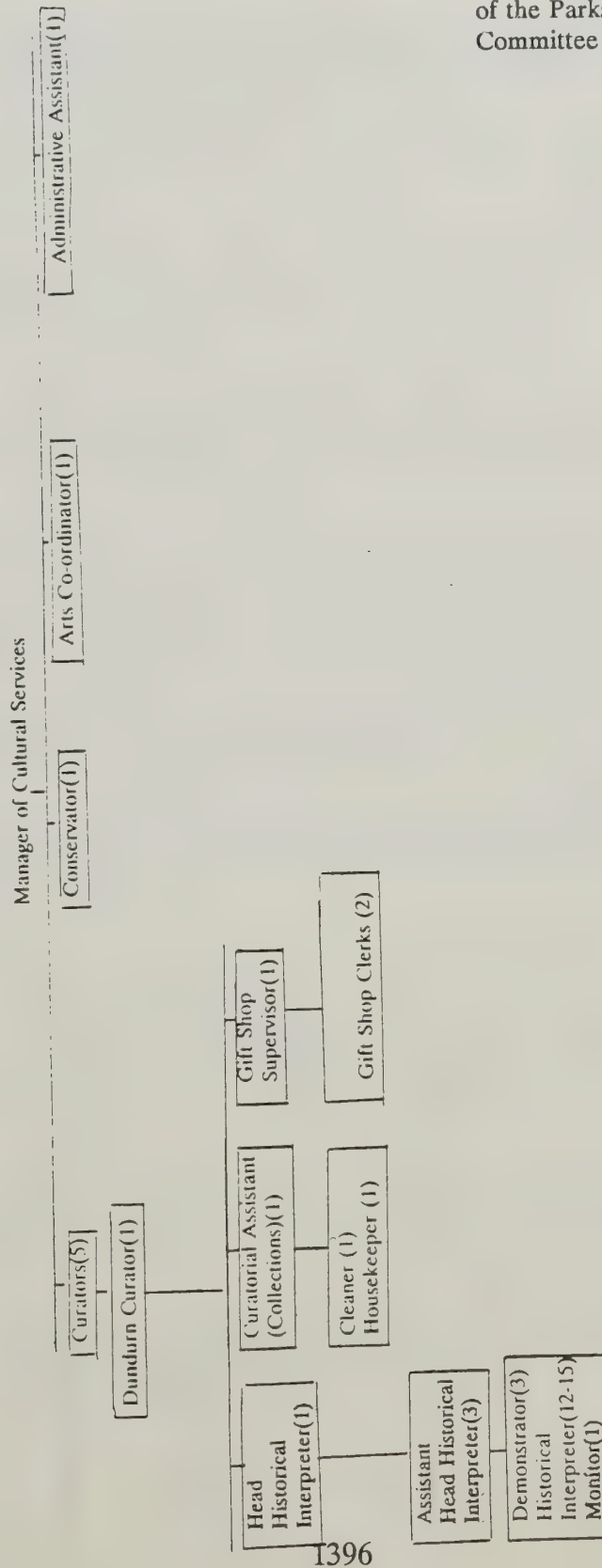
Some work has already begun in this area. On May 30, 1992 the City hosted its first Public Art Symposium. Presentations of lectures, slides and question periods by artists, architects, developers and administrators provided delegates with a broad educational experience, one which would enable them to understand not only the successes and failures of public art in other cities, but also the potential benefits of public art projects for Hamilton.

In addition, a modest project was undertaken in May 1992 by a university art student in the neighbourhood of Norman Pinky Lewis Recreation Centre. As part of a graduating year requirement, Angela Andersen designed a mural for the wall abutting the tennis court. Ms. Andersen, as a neighbourhood resident, had noticed that this wall was a target for graffiti. She was asked to organize a volunteer painting crew from the children in the area, many of whom used the recreation centre and were students of Stinson School. The students assisted Ms. Andersen in completing the mural. They not only enjoyed their weekend involvement but now act as informal custodians of the site. To date there has been no vandalism to the mural.

A mandatory element of project accessibility is the provision of educational labelling. This includes on-site information labels and a community-directed outreach component. Outreach programmes often take the form of television and newspaper coverage, brochures, maps.

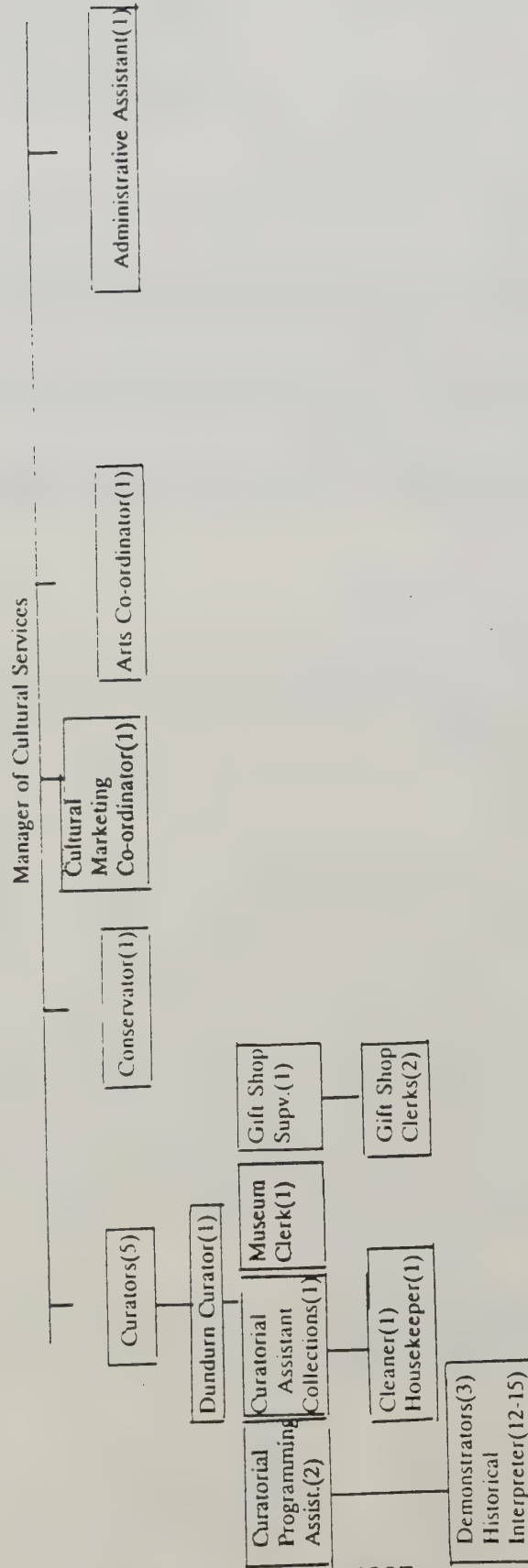
Appendix "B" as referred to in
Section 5 of the TWENTIETH Report
of the Parks and Recreation
Committee for 1992

CURRENT ORGANIZATIONAL CHART



Classification suggested to be deleted

PROPOSED ORGANIZATIONAL CHART



Increased complement for new classifications

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINETEENTH** Report for 1992 and respectfully recommends:

1.
 - (a) That the Planning and Development Department be directed to approach the Province for funding to undertake a consultant study to review the design and land use in the vicinity of the proposed Hamilton GO Centre.
 - (b) That the issues identified in the reports of the Central Area Plan Implementation Committee and the Urban Design Committee, concerning the Hamilton GO Centre, be incorporated into the Terms of Reference for the consultant study of the land in the vicinity of the GO Centre.
 - (c) That GO Transit be requested to address those issues identified by the Committees, as outlined in Appendix "A".
 - (d) That the Chief Administrative Officer for the City of Hamilton be appointed as the Co-ordinator for all municipal review and activity for the GO Centre and surrounding area.
2.
 - (a) That approval be given to the "Intent to Designate" the Dominion Public Building (future Consolidated Courthouse) at 10 John Street South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached herewith and marked as Appendix "B"; and,
 - (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
3.
 - (a) That approval be given by-law, for the City to enter into a Heritage Easement Agreement with the Hamilton Hebrew Academy under Part IV, Section 37 of the Ontario Heritage Act; and,

- (b) That the City Solicitor be authorized and directed to take appropriate action to have this Heritage Easement implemented, pursuant to the provisions of the Ontario Heritage Act, 1983.
- 4. That the City of Hamilton's Public Works Department, Community Renewal Section in conjunction with the Keep Hamilton Clean Committee hold a 5th Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of \$3,000.
- 5. That a Commercial Facade Loan in the amount of twenty eight thousand, one hundred and fourteen dollars (\$28,114) be approved for Garth H. Turpin and Sharon Turpin, 533-537 Concession Street, Hamilton. The interest rate will be 4 1/8 per cent, amortized over 10 years.
- 6. That a rehabilitation loan in the amount of three thousand, nine hundred and fifty nine dollars (\$3,959) be approved for Leonard Renford Dunbar and Veronica Dunbar, owner of a Second Level Lodging Home at 106 Catharine Street South. The loan is amortized over a ten-year period at three percent interest and secured by a Lien on Title.
- 7. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 1098 Upper James Street
 - (b) 1106 Upper James Street
 - (c) 1147 Upper James Street
 - (d) 106 Hillyard Street
 - (e) 175 Niagara Street
- 8. A. That approval be given to application 25CDM-89003, 591613 Ontario Inc., c/o K. VanDerSchaaf, owner, to establish a draft plan of Condominium located at the north side of York Boulevard between Crooks Street and Magill Street, subject to the following conditions:
 - (i) That this approval apply to the plan prepared by MacKay, MacKay and Peters Limited, dated 1988 December 20.

- (ii) That the owner satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.
- B. That the Commissioner of Planning and Development for the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.
- 9. That the current list of members of the Central Area Plan Implementation Committee, attached as Appendix "C", be appointed for the term of Council to expire in 1994 November.
- 10.
 - (a) That the Commission on Planning and Development Reform be requested to strengthen and clarify their proposals for reform of the planning system as outlined in Appendix "D"; and,
 - (b) The City Clerk be requested to forward this report to the Sewell Commission and Hamilton-Wentworth Region.
- 11. A. That Zoning Application 92-30, Mr. & Mrs. E. Ciardullo, owners, requesting modifications to the "AA" (Agricultural) and "C" (Urban Protected Residential, etc.) Districts to permit the temporary use of land for a garden centre/nursery and related uses, for lands municipally known as 1468 and 1478 Upper James Street, shown as Blocks "1" and "2" on the attached map marked as Appendix "E", be Denied for the following reasons:
 - (a) The proposal conflicts with the intent of the approved Mewburn (East) Neighbourhood Plan.
 - (b) The proposal to use the entire site, even on a temporary basis, may jeopardize the establishment of the mid-block collector road and future assembly/development of the lands for their intended use.
 - (c) Development of the subject lands on the south side of the proposed mid-block collector road is considered premature pending either consolidation with adjoining lands or submission of a plan showing how the lands could be developed on a comprehensive basis.

- B. That approval be given to amended Zoning Application 92-30, Mr. & Mrs. E. Ciardullo, owners, for modifications to the "AA" (Agricultural) and "C" (Urban Protected Residential, etc.) District to permit the temporary use of land for a garden centre/nursery and related uses for property municipally known as 1468 Upper James Street, shown as Blocks "A" & "B" on the attached map marked as Appendix "F", on the following basis:
- (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, and the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified in accordance with Section 38 of the Planning Act, R.S.O. 1983, to permit the temporary use of the lands for a garden centre/nursery and related uses for a period of three years from the day of passing of this By-law, subject to the following special provisions:
 - (i) That notwithstanding Sections 7A(1) and 9.(1) of Zoning By-law No. 6593, a business identification sign shall be permitted in accordance with the requirements of Section 13.1(xv) of By-law No. 6593;
 - (ii) That a minimum 6.0 m wide landscaped planting strip shall be provided and maintained along the westerly lot line of Block "A";
 - (iii) That a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the westerly and northerly lot lines of Block "A";
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- 1291, and that the subject lands on W-9D be notated S-1291;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- C. That By-law 79-275, as amended by By-law No. 87-223, be amended by adding Blocks "A" and "B" as shown on Appendix "F", to Schedule "A".
 - D. That the amending By-law not be forwarded for passage by City Council until such time as the owner applies for and receives site plan approval.
12. That approval be given to Zoning Application 92-36, 952517 Ontario Ltd. (Mike Anderson, owner), requesting a modification to the "H" (Community Shopping and Commercial, etc.) District, to permit the development of the subject lands for a four (4) bay coin-operated car wash and mechanical car wash in conjunction with a proposed restaurant and variety store with an accessory office, for the property located at 217 Cannon Street East, as shown on the attached map marked as Appendix "G", on the following basis:
- (i) That By-law No. 79-152 and By-law 84-228 be repealed in their entirety;
 - (ii) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14.(1) of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 14(1) of Zoning By-law No. 6593, the following commercial uses shall be permitted;
 - 1. a coin-operated manual car wash having not more than four (4) bays;
and,
 - 2. a mechanical car wash.
 - (b) That notwithstanding Section 18(3)(ivc)(a) of Zoning By-law No. 6593, every building and structure shall be distant at least 4.5 m (14.76 feet) from the boundary of a residential district;
 - (c) That a minimum 1.5 m wide landscape planting strip shall be provided and maintained along the southerly and easterly lot lines, except for any area used for vehicular access;

- (d) That a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the northerly lot line;
 - (e) That a visual/acoustical barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the northerly lot line;
 - (f) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1292, and that the subject lands on Zoning District Map E-4 be notated S-1292;
 - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
 - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
13. That approval be given to amended Zoning Application 92-17, Mr. Chin Shee Shing and Mrs. Chin Nor Fai, owners, requesting a modification to the established "M-13" (Prestige Industrial) District regulations, to permit the construction of a 2 storey, 466 m² (5,020 sq. ft.) building containing a 300 seat banquet hall (basement level), a 150 seat restaurant (ground floor level), and an accessory apartment unit, (second floor), for property located at 1123, 1131 and 1135 Stone Church Road East, as shown on the attached map marked as Appendix "H", on the following basis:
- (i) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 17E(1) (c) of By-law No. 6593, a restaurant and caterer including banquet facilities shall be permitted.

- (b) That notwithstanding Section 17E(1) (e) of By-law No. 6593, an accessory dwelling unit which is incidental to the permitted restaurant use and located within the same building, shall be permitted.
 - (c) That Section 4. (3) (a) of By-law No. 6593 shall not apply to the two existing single-family dwellings, known municipally as Nos. 1131 and 1135 Stone Church Road East.
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1293, and that the subject lands on Zoning District Map E-59C be notated as S-1293.
 - (iii) That the City solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C for submission to City Council.
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (v) That the Trenholme Neighbourhood Plan and the Mountain Industrial Area Plan be amended by redesignating the subject lands from "Multi-Centre - Civic And Institutional" to "Multi-Centre - Commercial".
14. A. That approval be given to amended Zoning Application 92-22, Rolando Pineda Estrabillo, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified (Block "1"), and for a modification to the established "C" (Urban Protected Residential, etc.) District (Block "2"), to convert the existing single-family dwelling to a dental office on the first floor and a dwelling unit on the second floor, for the property located at 860 Upper Wentworth Street, as shown on the attached map marked as Appendix "I", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, R.S.O., to the subject lands, by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the "H" symbol, and thereby give effect to the "C" District-Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled.

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-Law No. 6593, applicable to the subject lands, shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 9(1), of Zoning By-law No. 6593, the following uses shall be permitted:
 - 1. a dental office only on the first floor of the existing building and having a maximum gross floor area of 95.0 m² (1000 S.F.);
 - 2. one dwelling unit only on the second floor of the existing building;
 - 3. an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
 - (ii) That a minimum 3.0 m wide landscape planting strip shall be provided and maintained along the westerly lot line of Block "2", and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line of Block "2";
 - (iii) That a minimum 1.5 m wide landscape planting strip shall be provided and maintained along the southerly lot lines of Blocks "1" & "2", and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the southerly lot lines of Blocks "1" & "2";

- (iv) That a minimum 1.5 m wide landscape planting strip shall be provided and maintained along the easterly lot line of Block "1", except for any area used for vehicular access;
- (v) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, a minimum of four (4) parking spaces shall be provided and maintained on the subject lands;
- (vi) That Section 18A(14) of Zoning By-law No. 6593 shall not apply;
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1294, and that the subject lands on Zoning District Map E-18 be notated S-1294;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council;
- (f) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".
- 15. A. That approval be given to Zoning Application 92-32, Ernie and Tom Schoenholz, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit the development of lands municipally known as 719 Knox Avenue through a plan of condominium for four (4) single-family dwellings, having common access to Knox Avenue, as shown on the attached map marked as Appendix "J", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 35(1) of The Planning Act, R.S.O. to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District to prohibit the development of the subject lands until:
 - (i) the owner has undertaken a soils study to the satisfaction of the Ministry of Environment, and notification is received from the

Ministry of Environment that the decommissioning process, if required, has been satisfactorily completed;

(ii) the owner has applied for and received approval from the Regional Municipality of Hamilton-Wentworth of a draft plan of condominium; and,

(iii) the owner has applied for and received Site Plan Approval.

City Council may remove the "H" symbol and thereby give effect to the "C" District provisions as stipulated in this By-law, by enactment of an amending By-law once the conditions are fulfilled.

(b) That the subject lands be zoned "C"-'H' (Urban Protected Residential, etc. - Holding) District;

(c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:

(i) That notwithstanding Section 4.(3)(a) of Zoning By-law No. 6593, four (4) single-family dwellings shall be permitted on the subject lands;

(ii) That Section 9.(3) of Zoning By-law No. 6593 shall not apply;

(iii) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, a lot width of at least 6.6 m shall be provided and maintained;

(iv) That the following minimum setbacks shall be provided and maintained for each of the four permitted single-family dwellings:

1. a setback of at least 4.5 m from the easterly lot line and from the westerly lot line; and

2. a setback of at least 7.5 m from the northerly lot line and from the southerly lot line;

- (v) That the following separation distances shall be provided and maintained between each of the four permitted single-family dwellings:
 - 1. a distance of not less than 2.4 m between buildings in an east-west direction; and
 - 2. a distance of not less than 27.0 m between buildings in a north-south direction;
 - (vi) That a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along all property lines, except for the area required for an access driveway.
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 Schedule S-1295, and that the subject lands on Zoning District Map E-81 be notated S-1295;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-81 for presentation to City Council; and
 - (f) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That By-law No. 79-275 as amended by By-law No. 87-223 be amended by adding the subject lands to Schedule "A", and that the provisions of Section 2. 1. of By-Law 87-223 shall not apply.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

16. That leave be granted to introduce the following Bills:

- (a) Bill C-119 A By-law to amend Zoning By-law No. 6593 respecting Housing Intensification Strategy
- (b) Bill C-120 A By-law to amend Zoning By-law No. 6593 as amendment by Zoning By-law No. 73-268 respecting lands located at Municipal Nos. 15, 19, 20 and 24 Bosna Court and Nos. 39, 43, 47 and 51 Algonquin Court

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1992 November 4

Appendix "A" referred
to in Section 1(c) of the
Nineteenth Report of the
Planning and Development
Committee for 1992

APPENDIX "A"

SUMMARY OF ISSUES PERTAINING TO THE HAMILTON GO TRANSIT CENTRE

- GO Centre signs should be posted on the arterial roads to help keep traffic off the neighbourhood streets.
- Wheelchair access, at grade, with level crossings, should be provided in the station and at the bus terminal.
- Wheelchair access to the bus terminal at Hughson Street South and Haymarket Street should be provided.
- The heritage features of the T.H. & B. station, both its building and site, should be retained.
- Streetscape elements would include and provide for, but not limited to, the following, in a comprehensive design:
 - Tree Planting
 - Lighting
 - Planters and Planting
 - Seating
 - Signage
 - Bus Shelters and Stops
 - Public Telephones
 - Information Kiosks
 - Newspaper Boxes
 - Mail boxes
 - Wheelchair ramps
 - Drinking fountains
 - Bicycle Racks
 - Overhead Shelters
- Because of the very grave concerns regarding the location of the layover yard at Victoria Avenue, the city should initiate urgent and thorough discussions with the GO and Rail authorities, to evaluate all alternatives for the location of the layover yard.

Specific concerns regarding the layover yard are:

- night time activity at the layover yard. Concerns include the servicing of the trains at this yard, the movement of trains at night in the yard, the internal lights in the train remaining on, noise emanating from the yard from trains running at night, i.e. air conditioning, train start-up, etc..
- overpowering air pollution from the trains.
- inadequate noise attenuation measures.
- objectionable noise attenuation measures such as high walls, etc.
- light pollution from security lights to adjacent properties.

- loss of privacy, due to the close proximity of bi-level trains.
- lack of security to the yard from City streets and school site.
- question of future use and operation of yard if planned expansion of service occurs.
- Noise emanating from the rail line in Corktown Neighbourhood should be mitigated through the provision of visually attractive noise barriers.
- That the Hamilton GO Centre be named the "GO Hamilton Transportation Centre".
- That an enclosed waiting area be provided for bus passengers adjacent to the bus loading area.
- That provision be made for taxi drop-off and pick-up at the rear of the station building (on Haymarket Street) to serve bus passengers.
- That GO Transit examine ways to improve passenger safety in crossing the bus platform from the waiting area to Haymarket Street and Hughson Street. The current proposal will require passengers to cross the bus platform (the area where buses drive into and out of the station) in order to access Hughson Street and Haymarket Street.
- That GO Transit incorporate the following features into the station design to provide safety and security for its passengers:
 - a) benches in the public areas of the station and the bus waiting area;
 - b) appropriate lighting in waiting areas and stairwells;
 - c) emergency telephones;
 - d) retail operations (e.g. coffee shop, newspaper kiosk) with operating hours coinciding with train and bus arrivals/departures;
 - e) information on links to other transit opportunities (e.g. Canada Coach, HSR);
 - f) a map of Hamilton to orient passengers to the City;
 - g) signs indicating access to other facilities (e.g. Copps Coliseum, Hamilton Place) in the area.
- The lack of a landscaped area at the front (north entrance to the GO Centre).
- The closest access to the bus platform and waiting area is from Haymarket Street. This area should be re-evaluated as it is the most logical drop-off point for passengers accessing the bus platform.

REASONS FOR DESIGNATION

FORMER DOMINION PUBLIC BUILDING, 10 John Street South (HAMILTON COURTHOUSE)

Context

The Dominion Public Building was erected in 1935-6 on John Street South between King and Main Streets to serve as Hamilton's main Post Office and federal office building. Located on a major site in the downtown core, the front facade of this monumental six-storey edifice faces John Street; its south facade is an integral part of the Gore Park streetscape and its north facade faces the grounds of the present Courthouse. As such, 10 John Street is recognized as an important city landmark.

Historical Significance

Erected on the site of the earlier 1886 Post Office, the new Dominion Public Building was built to accommodate not only the post office but also customs and excise, national health, immigration and various other federal departments, all brought together for the first time in Hamilton under one roof.

The main Post Office was located in this building for over fifty years, closing in 1991, when the Province of Ontario purchased the building for conversion to a new court facility, consolidating the Provincial and General Division courts.

The John Street building belongs to the group of large office blocks built by the Federal Government across the country during the 1920s and '30s; the Hamilton structure was erected as part of a Depression works program introduced by the government in 1934 under the Public Works Construction Act.

Architectural Significance

Hamilton's Dominion Public Building has been ranked as one of the three best examples of the large federal public buildings which were erected across Canada between 1934 and 1939.

In accordance with the government's current policy, a local architect rather than the Public Works Architect was commissioned to design the building. The Hamilton firm of Hutton and Souter, well known for other major works such as the Cathedral of Christ the King, provided the plans.

In terms of the architectural style, Hutton and Souter's design can be described as "modern classical", used also in the five other federal buildings erected at this time. Classical inspiration is visible in the use of pilasters, engaged columns, symmetry, the rectangular block form, and the general horizontal divisions of base, shaft and cornice.

These traditional elements, however, are given contemporary expression, typified in the use of smooth, crisp plans; bold, simply masses; and contrasting linear-patterned ornamentation which accentuates the main architectural features of the building.

This richness of decorative detailing is found throughout the building; on the exterior in the stone ornamentation at the cornice and belt-course the crowing narrative relief of the frontispiece, in the coat-of-arms over the front door, as well as the bronzework of the window and door panels; and on the interior by the use of marble wainscotting and flooring, as well as bronze grillwork, mosaics and painted ceiling.

The Hamilton building is considered to have the finest interior of any federal post office building erected from the mid-to-late 1930s. The main entrance, postal and elevator lobby areas and the main stairwell demonstrate the extensive use of costly materials and quality craftsmanship.

Designated Features

Important to the preservation of the Dominion Public Building are the original features of the east (main, north, and south facades, including the masonry work, windows, doorways and all ornamental decoration; and the interior spaces of the entrance, postal and elevator lobby areas and main stairwell, including all original decorative elements such as the marble cladding and flooring, bronze decorative work on doors and windows, painted ceiling, light fixtures and mosaic.

CENTRAL AREA PLAN IMPLEMENTATION COMMITTEE MEMBERSHIP
1992 - 1994

Alderman Wm. McCulloch
Russell Elman
Gil Simmons
Robert Brough
Gloria DeSantis
James C. Drake
John Eyles
Ronald Faichney
Maggie Fischbuch
Greg Gouthreau
Gerry Kennedy
Arthur Lomax
Carol Mason
John Nolan
Kay Nolan
Mary Pocius
Bruce Rankin

Alderman, Ward 2
Chairperson
Vice-Chairperson
LACAC
Social Planning and Research Council
Beasley Neighbourhood Association
McMaster University
Senior Citizens Council - City of Hamilton
Citizen Member
Downtown B.I.A.
Metropolitan Hamilton Real Estate Board
Hamilton Automobile Club
Hamilton School Board
Citizen Member
Hamilton-Wentworth Separate School Board
International Village B.I.A.
Hamilton Society of Architects

1992 November 10

Appendix "D" referred
to in Section 10(a)
of the Nineteenth Report
of the Planning and Development
Committee for 1992

The following is a list of recommendations to the Sewell Commission in response to proposals in the September, 1992 issue of New Planning News:

1. *Provide more detail on the roles and responsibilities of the proposed Provincial policy committees with respect to policy implementation.*
2. *Clearly identify the role of special planning committees in Provincial planning.*
3. *The City re-affirm its position that planning should be done at the level of government closest to the public and therefore more accountable. Therefore, upper tier municipalities should be responsible for developing policies for matters only within their jurisdiction.*
4. *Provide more emphasis on planning for social and economic change, and on transportation and infrastructure planning in the list proposed for required contents of upper and lower tier plans. In addition, the proposal to have 'state of the environment' reports prepared should be not be mandatory for lower-tier municipalities, where such reports are prepared by the upper-tier.*
5. *Recommend that the Province take the lead in defining and developing a geographical information system(s) that would meet the needs and be accessible to the municipalities for environmental data.*
6. *Recommend that the Province take a leadership role regarding the issue of contaminated soils.*
7. *Provide details regarding which legislation the Infrastructure Design and Mitigation Process falls under; the official status of the proposed transportation and infrastructure plans; and, how and when a project becomes subject to the Environmental Assessment Act.*
8. *Clearly identify who is responsible for watershed plans, the difference between watershed studies and watershed plans, and funding responsibilities.*

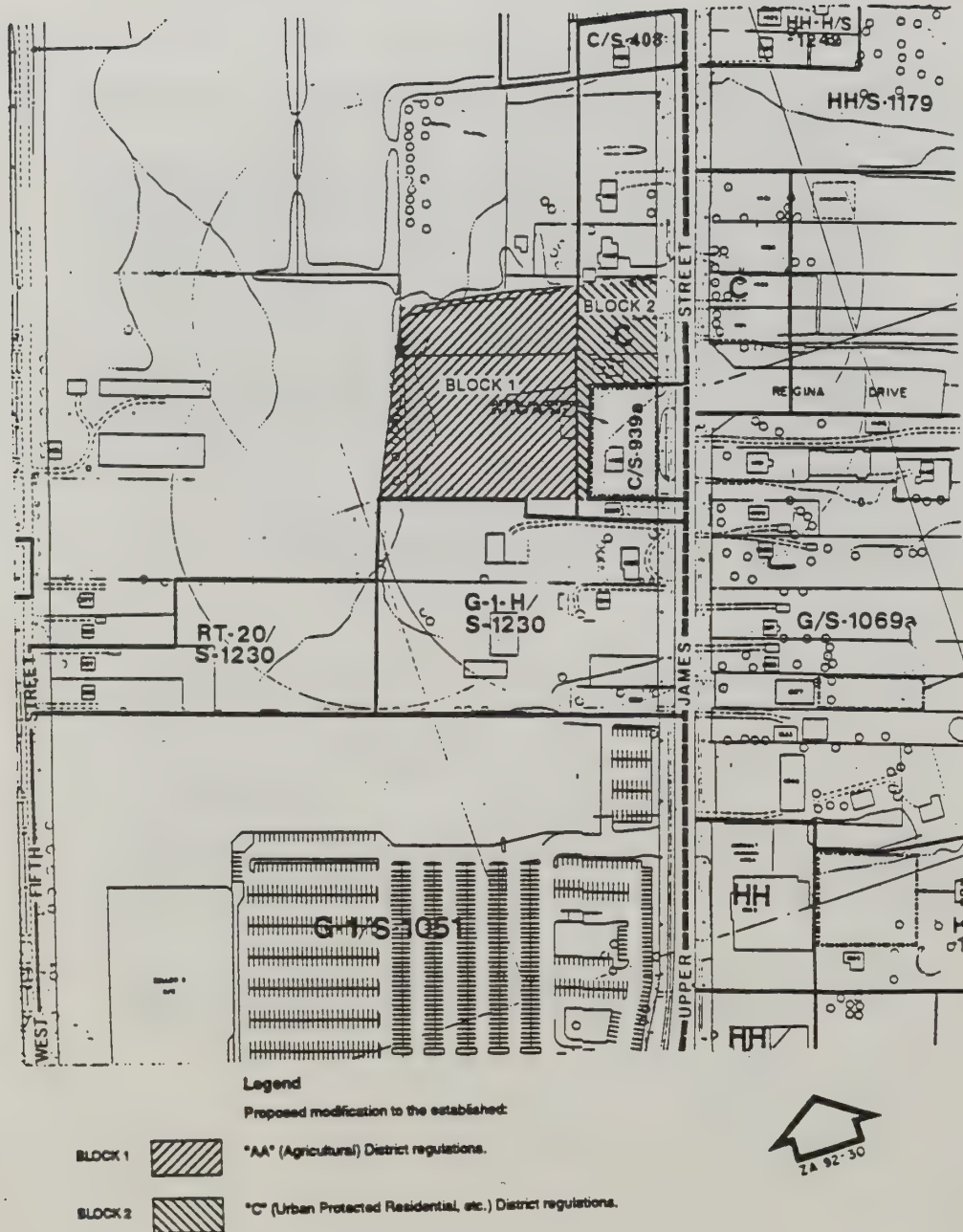
9. *Continue to investigate creative ways to improve the development process as stated in the City's submission in February, 1992 as follows:*

"investigate creative ways to improve the development process such as: modifying the notification requirements for Official Plans to be consistent with zoning by-laws; allowing for conditional approvals (e.g. zoning, site plan approval) with a time limit; introducing a time limit for submissions of appeals where Council denies an application; allowing for conditional uses subject to fixed rules/criteria; giving circulated agencies, particularly the Provincial departments, a specific time period to comment on applications; accountability for decisions should be at the lowest level (i.e. Council) with fewer referrals to the Ontario Municipal Board (only where there is a declared Provincial interest); delegating approval process for minor applications (e.g. conversion, parking lots) by a sub-committee or appointed municipal representative".

10. *Whether regulations such as density and uses would fall under site plan control as opposed to the zoning by-law.*
11. *Ensure, where there is no objection, that removal of the 30 day appeal period does not circumvent due process.*

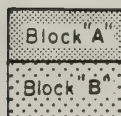
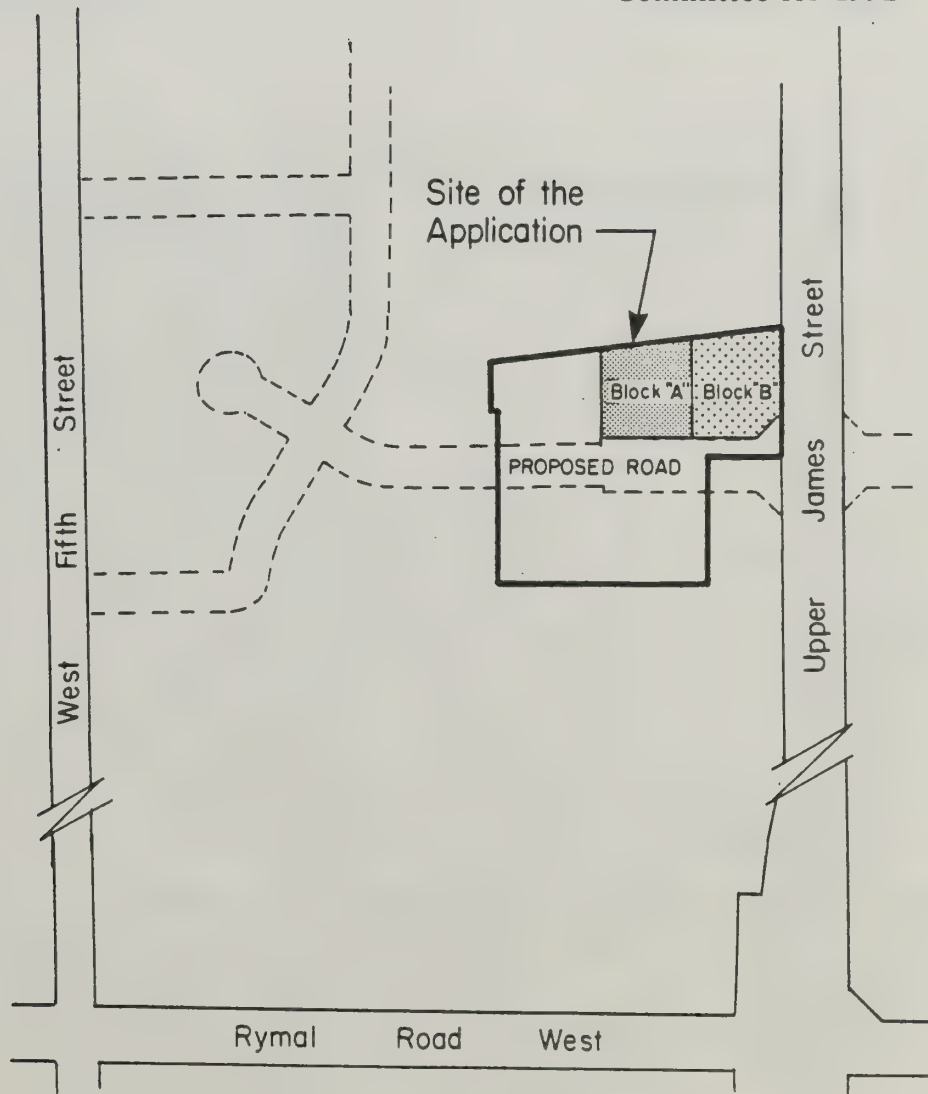
1992 November 10

Appendix "E" referred
to in Section 11A of the
Nineteenth Report of the
Planning and Development
Committee for 1992



1992 November 10

Appendix "F" referred
to in Section 11B of the
Nineteenth Report of the
Planning and Development
Committee for 1992



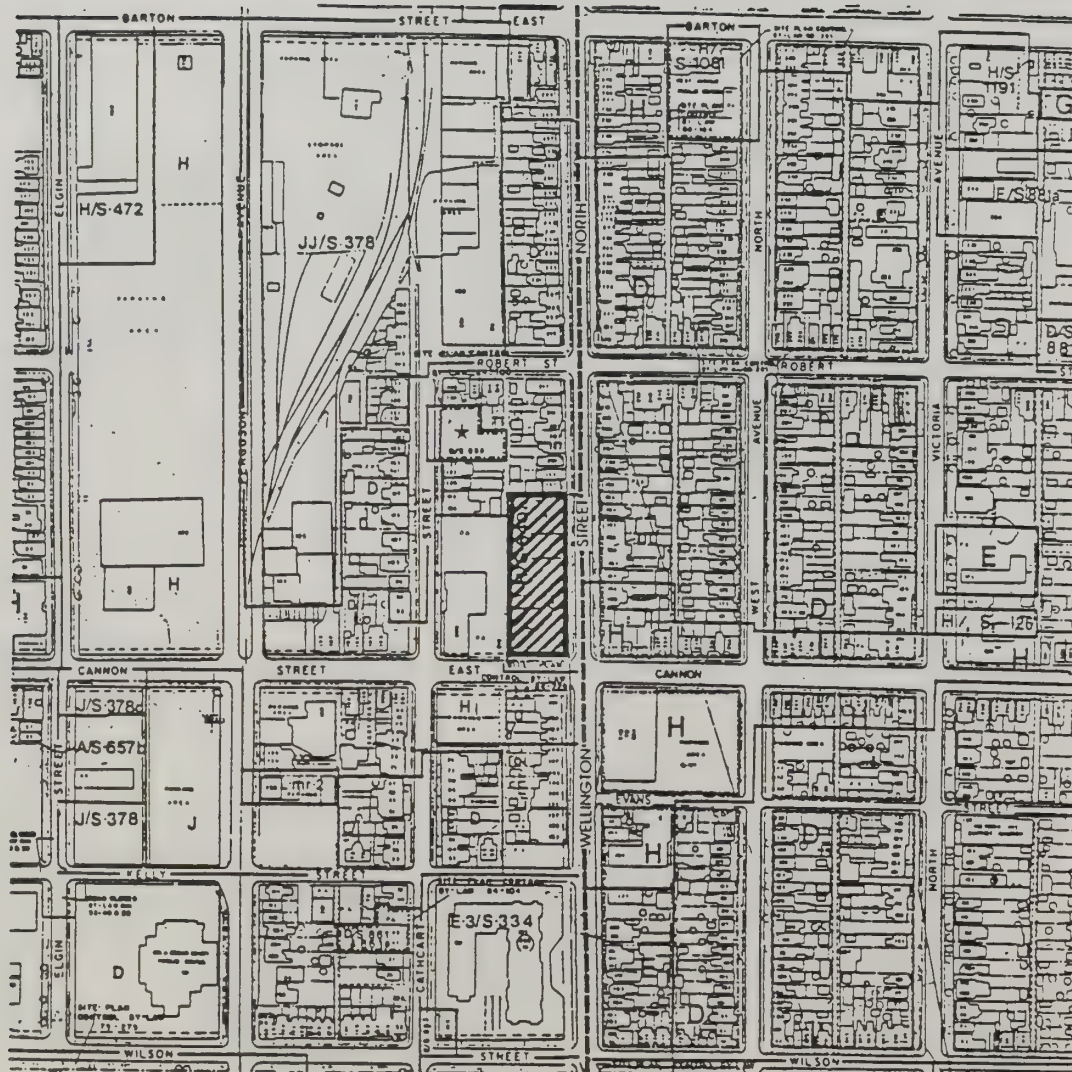
Legend

Proposed Modification to the established "AA" (Agricultural) District Regulations

Proposed Modification to the established "C" (Urban Protected Residential, etc.) District Regulations

1992 November 10

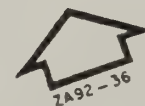
Appendix "G" referred
to in Section 12 of the
Nineteenth Report of the
Planning and Development
Committee for 1992



Legend

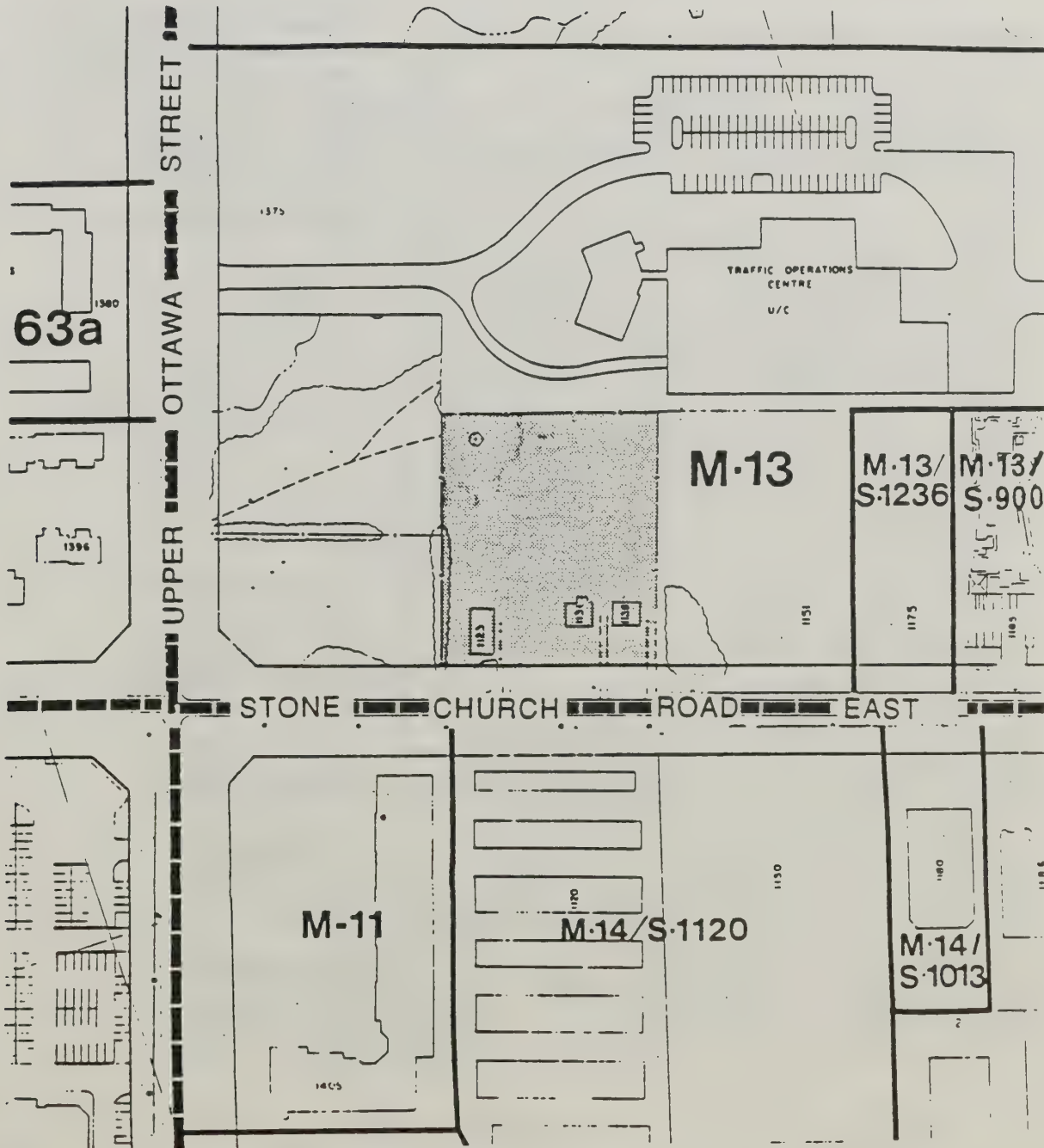


Site of the Application



1992 November 10

Appendix "H" referred
to in Section 13 of the
Nineteenth Report of the
Planning and Development
Committee for 1992



Legend



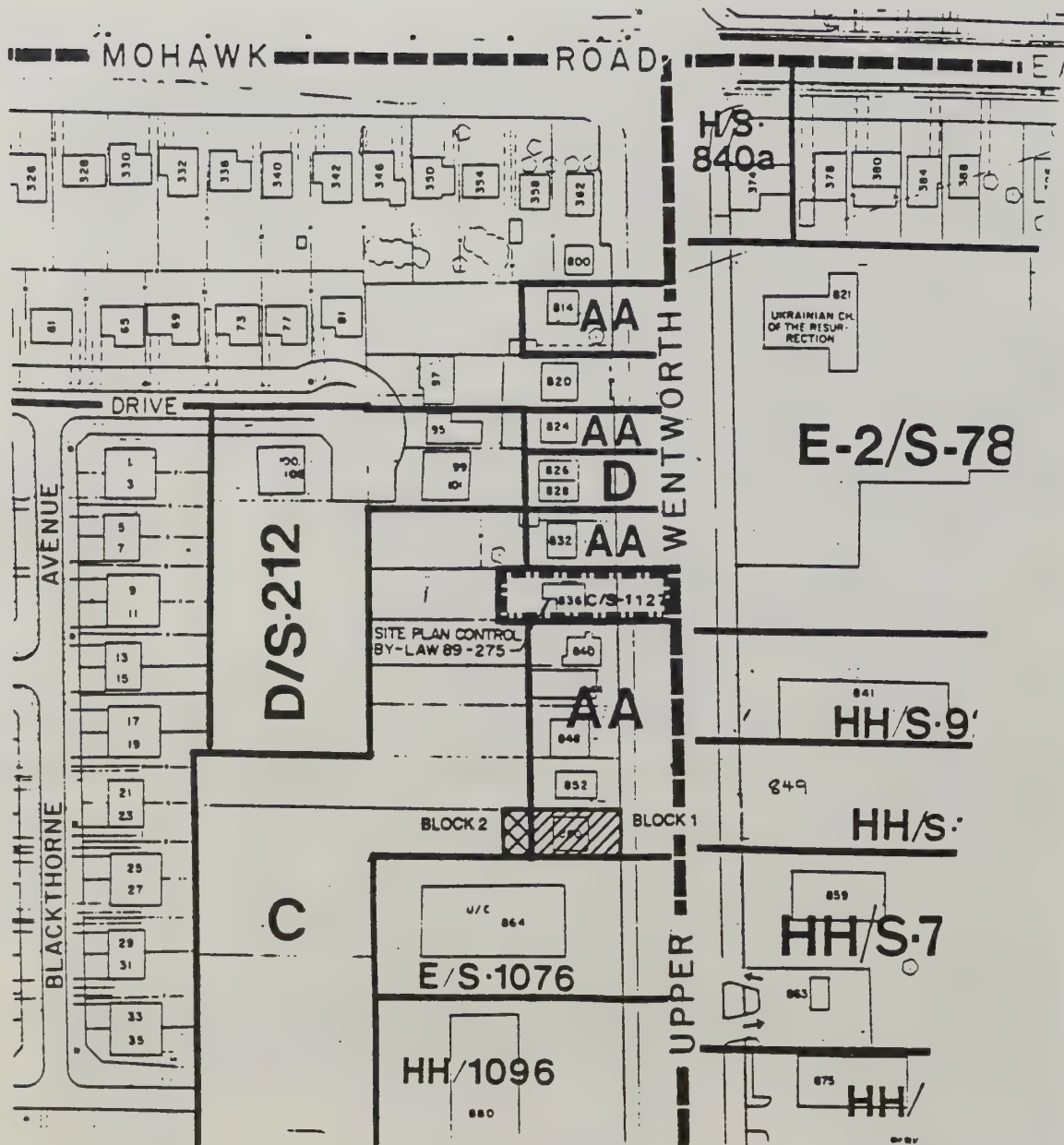
Site of the Application

1420





1992 November 10

Appendix "I" referred
to in Section 14A of the
Nineteenth Report of the
Planning and Development
Committee for 1992



Legend

- BLOCK 1  Proposed change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified.
- BLOCK 2  Proposed modification to the established "C" (Urban Protected Residential, etc.) District regulations.

Appendix "J" referred to in Section 15A of the Nineteenth Report of the Planning and Development Committee for 1992



REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his SECOND Report for 1992 and respectfully recommends:

1. That Herbot Joseph be appointed as a citizen member to serve on the Mayor's Race relations Advisory Council for a term to expire 1994 November 30 to fill a vacancy created by a resigning member.

RESPECTFULLY SUBMITTED

Robert M. Morrow
Mayor

Stella Glover, Secretary
Mayor's Race Relations Committee

1992 October 26

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SECOND** Report for 1992 and respectfully recommends:

1. (a) That a purchase order be issued to Nova-Quintech, St. Francois-du-lac, Quebec, in the amount of \$1,168,956.62 including all applicable taxes, being the lowest acceptable of three proposals received, for the replacement of One (1) 100 foot Aerial Ladder Truck, Unit #1635, and Two (2) Triple Combination Pumpers, Units #1644 and #1645 for the Hamilton Fire Department, in accordance with a Request for Proposal issued by the Manager of Purchasing and Vendor's submission, and be financed through Vehicle Replacement Account No. 5X502 00101.

 (b) That contracts for the purchase of these units be entered into satisfactory to the City Solicitor.
2. That as referred to in Section 21 of the Twelfth Report for 1992 of the Transport and Environment Committee the City's share of "Chedmac Drive" Servicing Costs adjacent to the new West Mountain Twin Pad Arena, at a cost of \$263,475., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
3. (a) That Part 2, Section 19 of By-law 92-172 relating to Taxi Cabs and Livery Vehicles be amended to include and allow for one interior display unit to be installed in the vehicle, not exceeding 16" x 48", positioned in such a way as not to obscure the vision of the driver, or the view from the rear seat of the vehicle of the photo identity card, meter, licence and tariff card and not to obstruct the access of the passenger.

 (b) That the City Solicitor be authorized and directed to prepare the necessary By-law amendment.

4. That the Manager of Purchasing be authorized to call for individual quotations for the supply and installation of carpeting material on the lobby/second floor staircase of City Hall and in the Council Chamber utilizing a medium shade of royal blue carpet comparable to Smokey Blue Total Concept II produced by Crossley Carpets.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Kiss. -1.

CARRIED.

5. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source of Financing
a) 328541002	City Hall - Ceramic Belting Repair	\$ 40,000.00	\$ 0.00	\$40,000.00	Capital Levy
b) 318841001	Major Maintenance to Civic Buildings (1988)	250,000.00	249,908.50	91.50	Reserve for Capital Projects
c) 318941003	Major Maintenance to Civic Buildings (1989)	250,000.00	250,000.00	0.00	Reserve for Capital Projects
d) 319041004	Accommodation Requirements - Law Department	175,000.00	175,000.00	0.00	Reserve for Capital Projects
e) 319151013	City Hall - Additional Transformer	50,000.00	0.00	50,000.00	Reserve for Capital Projects
TOTAL				\$90,091.50	

6. (a) That an Option to Purchase, executed by Mario Marcoccia on 1992 October 2, and scheduled for closing on or before 1993 January 21, for the purchase of 398-400 and 406 Barton Street East, more particularly described as part of Lots 4, 6, 7 and 8, Registrar's Compiled Plan 1409, having a frontage of 22.226 metres (72.92 feet) more or less, along the southern limit of Barton Street East, by a depth of 44.906 metres (147.33 feet) more or less, comprising an area of 1,511.02 square metres (16,265.00 square feet) more or less, together with all structures erected thereon, be approved and completed and the purchase price of \$235,000. be charged to Account No. 5698-909145001 (Land Acquisition - General).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
7. That the City lease the former Bay/King dealership and its adjacent parking lot (the "site") owned by Leggat Investments Limited and Oakland "6" Limited at the south-west corner of King Street West and Bay Street South for a Hamilton Parking Authority lot.

Such lease to be in a form satisfactory to the Hamilton Parking Authority and the City Solicitor and shall include the following terms:

- (a) (i) An initial minimum lease term commencing 1993 February 1, or the date of execution of the Lease - whichever is later, continuing to 1994 November 30.
- (ii) An Option in favour of the City to renew the Lease on the terms outlined herein for a further Lease term commencing 1994 December 1, and continuing to 1998 January 31, providing such renewal of the Lease is approved by the Ontario Municipal Board. During the initial Lease term, the City shall apply for the Municipal Board approval.
- (iii) The City Solicitor is authorized to apply to the Ontario Municipal Board for approval of the lease renewal from 1994 December 1 to 1998 January 31.
- (b) A minimum annual rent during the Lease term and the said renewal of Lease of \$165,000. payable in advance, in equal monthly instalments.

- (c) Rent payable for the third, fourth and fifth years (from the commencement of the initial Lease term) shall include:
 - (i) The minimum annual rent set out above.
 - (ii) In addition to the said minimum annual rent the Lessee shall pay to the Lessor a Participation Rent from and after the third year of the term, calculated as twenty-five percent of gross revenues (in each of such subsequent years) in excess of gross revenues collected by the Lessee in the second year of the term. For the purpose of this calculation, "year" shall mean a twelve (12) month period commencing on February 1.

"Gross revenues" shall mean the sum of all monies received by the Lessee with respect to the leased premises before deductions for taxes, operating expenses, or any other deductions whatsoever. Such Participation Rent shall be paid within ninety (90) days of the end of each year of the term.
- (d) Lessee shall pay hydro, power and other utility charges and maintain and operate the parking lot, including payment of business and realty taxes.
- (e) The Lease shall not commence until:
 - (i) The Lessor has, at its expense, demolished, and removed (and filled in) from the site the existing two buildings (showroom and main repair garage), structures and utility lines and levelled the site to ground level with fill.
 - (ii) The Lessor has left the site in a condition suitable for and satisfactory to the Lessee's parking lot operation purposes including the lessee's grading and paving of the site.
 - (iii) The Lessor is the owner of the site free and clear of all encumbrances and leases.

- (f) The Lease shall not commence where the Lessee has received or has information that a Notice or demand by the Ministry of the Environment or other regulatory agency exists and remains to be fulfilled regarding the presence, securing or removal of any contaminant or other waste from the site. The lease shall also include the further environmental provisions set out in Schedule "A" annexed herewith and marked Appendix "A".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

8. (a) That the existing licence form be utilized for the licensing of Tobacco Shops; and,
(b) That a separate warning sign, attached herewith and marked Appendix "B", be provided at no cost to the shop owners.

9. That a purchase order be issued to Brown Collett, Mississauga, to supply and deliver office supplies to various departments for a period ending 1994 January 31, with an option in favour of the City to extend for one additional twelve month period, being the lowest of four proposals received, in accordance with a Request for Proposal issued by the Manager of Purchasing and Vendor's Proposal, and be financed through various approved Office Supplies Accounts.

REFERRED BACK WITH INSTRUCTIONS

10. (a) That the Management Team be directed to receive and review for consideration in the 1993-2002 Provisional Capital Budget the formal request from the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.A.) for their Headquarters Construction requesting a revised amount

of net matching City contribution of \$2,500,000. and a revised construction date of 1993 March; and,

- (b) That the Management Team be further requested to consider and review the Loan Guarantee in the amount of \$2.5 million requested by H.S.P.C.A.; and,
 - (c) That the Treasurer be directed to meet with the H.S.P.C.A. to discuss the City's contribution to the Headquarters Construction project.
11. That the Crime Stoppers Programme be utilized to assist in the recovery of the Mayor's Chain of Office which has been missing since approximately 1992 July 23.
12. That in accordance with Council's Policy respecting Selection Procedures for appointments to Committees/Boards/Commissions, which was approved by City Council on 1992 October 6th, the following members of Council be appointed to serve on a Selection Committee, for the next twelve (12) month period (1992 November - 1993 November), for the purpose of recommending appointments for vacancies which occur during that period:
- (a) Alderman F. Eisenberger
 - (b) Alderman B. Charters
 - (c) Alderman H. Merling
 - (d) Alderman T. Anderson
 - (e) Alderman F. D'Amico
13. That leave be granted to introduce the following Bills:
- (a) Bill H-68 A By-law to authorize Baseball Facilities Development.
 - (b) Bill H-69 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

1992 November 10

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 November 5**

SCHEDULE "A"

Notwithstanding any other provision to the contrary the Lessor (Leggat and Oakland) acknowledges and agrees that the Lessor [and not the Tenant-(City)] is responsible for the existing contaminants (if any) and other wastes (if any), (hereafter called the "contaminants"), situate upon and within the demised premises as of the date prior to the Tenant taking possession of the demised premises and that the Lessor is responsible for the costs and any liability or claim which may arise as a result thereof including orders from any governmental authority including liability for the clean up of spills or in tort - during the term of the lease or subsequent to its expiry or other termination.

In particular, and without limiting the generality of the foregoing, the Lessor agrees:

- a) That if contaminants are discovered at any time or times during the lease term or the renewal thereof, that the Lessor shall be solely responsible at its expense for the costs of their security and/or removal as required by governmental authority, or, if there is no such requirement, as required by the Lessee where in the opinion of the Lessee such security or removal is required to enable the Lessee to enjoy the demised premises for the purposes of the Lessee.
- b) In such event, the Lessee, upon notice to the Lessor, may require the Lessor to forthwith at its expense, enter the demised premises and remove and/or secure the contaminants in order to make the premises satisfactory to the Lessee for its purposes.
- c) In the event that the Lessee at any time or times during the lease or renewal thereof cannot use a portion or all of the demised premises due to the foregoing or due to any order or request from any governmental authority (due to the contaminants) received by the Lessor or by the Lessee or both of them, the Lessor agrees that the minimum annual rental shall be reduced on a pro rata basis for each subsequent month after the first relative to the portion of the premises not available to the balance of the premises available to the Lessee for its uses.
- d) The phrase "order" in this lease includes administrative orders, stop orders, control orders, preventive orders and clean-up orders issued by the Ontario Ministry of the Environment.
- e) To indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, taxes, damages, expense and loss which may be made against the Lessee during the term of the lease or subsequent to the lease term by reason of or in any way arising out of the foregoing matters.

1992 November 10



Appendix "B" referred
to in Section 8 of the
Twenty-Second Report of the
Finance and Administration
Committee for 1992.

**The Corporation of the City of Hamilton
By-law No. 92-144**

**WARNING PROHIBITING
SALE OF TOBACCO TO MINORS**

The sale of tobacco to persons under 18 years of age is limited by Federal and Provincial laws, which provide:

Persons under 16 years of age may not purchase or be sold cigarettes or cigarette papers.

Any person or their agent, being the owner of property on which a vending machine is located, may take from any person under 16 years of age, cigarettes, cigars or tobacco which are being purchased from the machine, or which are about to be used by the person under 16.

No one may sell or give tobacco, cigars or cigarettes to someone under 18 years of age for their own use.

Persons being 16 or 17 years of age must supply the written permission of a parent or guardian to purchase cigarettes cigars or tobacco.

PROOF OF AGE MAY BE REQUIRED

CA4 ON HBL AOS
M21
1992

1992 November 24

Minutes of Hamilton City Council
1992 November 24
7:30 o'clock p.m.
Council Chamber

GOV. DOCUMENTS
NOV 1992
URBAN MUNICIPAL

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

City Council commenced with the singing of the National Anthem by the Philpott Memorial Church Youth Choir, "Unison".

* * * * *

Father Chester Chmurzynski of St. Stanislaus Roman Catholic Polish Church led Council in prayer.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Bill Sharpe, President of Lakeport Brewery in recognition of the establishment of Hamilton's newest industry "Lakeport Brewery Corporation".

* * * * *

Mayor R. M. Morrow presented Civic Awards to members of the Hamilton and District Five Pin Bowling Association for winning the National Five Pin Bowling Championships.

* * * * *

The minutes of the meeting held 1992 November 10 were adopted as circulated.

* * * * *

Correspondence:

1. Application dated 1992 November 6 from 891157 Ontario Inc., Hamilton, Ontario for a further modification to the "HH" (Restricted Community Shopping and Commercial) District regulations for property located at Nos. 1010-1024 Upper Wentworth Street, Hamilton, Ontario.

Received.

2. Letter dated 1992 November 19 from 394553 Ontario Limited, 688 Concession Street, Hamilton, Ontario respecting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a take-out restaurant/delicatessen within the existing building (unit 664) for property located at 664-682 Concession Street.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and the Nominating Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - TWENTY FIRST REPORT

Section 4 Re: Offer to Purchase (Easement) Agreement by Union Gas

Alderman Charters declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Charters' wife is an employee of Union Gas.

PLANNING AND DEVELOPMENT COMMITTEE - TWENTIETH REPORT

Section 5 Re: Demolition Permits

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 5 of the Twentieth Report of the Planning and Development Committee be deleted and replaced with the following:

5. "(a) That the Building Commissioner be authorized to not issue a demolition permit for 17 Crosthwaite Avenue North.
 - (b) That the Building Commissioner be authorized to issue a demolition permit for 547 Wilson Street."
- CARRIED.**

* * * * *

Section 7 (c) Re:North End East and West Community Improvement Plan - Bay Street, Guise Street and pedestrian connections to the Waterfront Park.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 7 (c) of the Twentieth Report of the Planning and Development Committee for 1992 be amended by adding the following after the word "interest" in the last line:

- 7(c) "..., (the closure of Bay Street North to be subject to review and approval of the Transport and Environment Committee); and"
- CARRIED.**

* * * * *

Section 9 Re: Hamilton GO Transportation Centre Area Study

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson's business is in close proximity to this location.

* * * * *

Section 12 Re: Zoning Application - 664-682 Concession Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Merling -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-THIRD REPORT

Section 1 Re: Resolution to endorse the Irish Canadian Club of Hamilton re: development of Grosse Ile as a National Historic Park.

It was moved by Alderman McCulloch and seconded by Alderman Ross that Section 1 of the Twenty-Third Report of the Finance and Administration Committee be amended by adding the following as the eighth paragraph:

"That this resolution be circulated to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and all municipalities in Canada with a population in excess of 50,000.

CARRIED.

* * * * *

Section 4 Re: Purchase Order - Shell Canada

Alderman Kiss declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Kiss' husband is an employee of the Company in question.

* * * * *

Section 20 Re: New Slogan for the City of Hamilton

Recorded vote.

YEAS: Aldermen Agro, Drury, Morelli, Copps, Agostino, D'Amico. -6.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Wilson, Eisenberger,
 Charters, Jackson, Merling, Anderson, Ross. -11. **LOST.**

<p>NOMINATING COMMITTEE - FIFTH REPORT</p>

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman M. Kiss be appointed Acting Mayor for the month of December, 1992. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
 Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
 Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-121, C-122, C-123, C-124, C-125.
H-70.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:15 o'clock p.m.

* * * * *

1992 November 24

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 November 24

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1992 and respectfully recommends:

1. That the concept of a "Wall of Fame" at Ivor Wynne Stadium, as proposed by the "Cats Claws - Tiger-Cat Fan Club", be approved.
2. (a) That approval be given the action taken by the Parks and Recreation Committee in purchasing one (1) table of ten (10) people for the "Tiger-Cat Wall of Fame Dance" held 1992 November 20.

(b) That the Finance and Administration Committee be requested to recommend a method of financing the cost of \$125. for this table.
3. (a) That the City of Hamilton enter into a Lease Agreement with the Regional Municipality of Hamilton-Wentworth to lease approximately 1 hectare of Regional land near Greenhill Avenue and Rosseau Road for the construction of a baseball facility.

(b) That the Lease Agreement contain the following terms and conditions:
 - i. Term - Commences 1992 June 1 and terminates 2012 May 31.
 - ii. Rental Rate - \$1. per year plus any applicable taxes to be credited to Account No. CH5X921 00102 (Reserve for Property Purchases - Parks).
 - iii. The City of Hamilton to pay all operating costs including grass cutting of the entire site and assume all liabilities arising out of this recreational use.

- iv. The City shall not interfere with the Region's operation of the sewage facility on the said lands.
 - v. That the Commissioner of Transportation and Environmental Services approve all plans prior to construction.
 - vi. That the Lease contain a three (3) month termination clause; however, in the case of emergencies, the Region may terminate the Agreement immediately.
 - vii. That the Lease Agreement be prepared by the City Solicitor in a form satisfactory to the Commissioner of Legal Services.
- (c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.
4. (a) That an Offer to Purchase (Easement) Agreement, executed by Union Gas Limited (D. J. Moore, Vice-President and R. S. Valdis, Assistant Secretary) on 1992 October 27 and scheduled for closing on or before 1993 January 18, for the purchase of an easement for the installation of a gas pipeline composed of part of Lot 17, Concession 7, in the Geographic Township of Barton, being a 2 metre strip of land along the southerly limit of Parts 2, 7 and 9 on Plan 62R-12302, be approved and completed and the funds derived from this sale of \$4,900. be credited to Account No. CH4X501 00201 (Reserve for Acquisition of Parkland).
- (b) That a certified deposit cheque in the amount of \$490. is being held by the City Treasurer pending City Council approval.
- (c) That it is understood and agreed that:
- i. an easement will be granted to the Region over Parts 2, 7, 9 and 10 on Plan 62R-12302 for sewer purposes.
 - ii. Union Gas will provide a survey, satisfactory to the Regional Surveyor, showing subject easement, prior to the date of closing.
 - iii. the Purchaser will not remove any trees from the easement site without prior approval of the Manager of Parks.

- (d) That an Authority to Enter Agreement, executed by Union Gas Limited (D. J. Moore, Vice-President and R. S. Valdis, Assistant Secretary) on 1992 October 27 to allow Union Gas Limited to enter on the easement lands namely Parts 2, 7 and 9 on Plan 62R-12302 as of 1992 November 25 for the installation of a gas pipeline, be approved.
 - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 5.
- (a) That the City of Hamilton enter into a Tenancy Agreement with M. Lamarche to rent the premises known as 112 Province Street North, subject to the terms and conditions of the Tenancy Agreement being satisfactory to the City Solicitor.
 - (b) That a one time rental charge of \$210. be charged for the period of 1992 December 1 to 1992 December 31 for cleaning and decorating which has been agreed to be carried out by the tenant.
 - (c) That commencing 1993 January 1, the monthly rent will be \$419. (including realty taxes of \$1,268.06 for 1992) and rental proceeds to be credited to Account No. CH44104 31106 (City Properties Rental).
 - (d) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement in a form satisfactory to the City Solicitor.
- 6.
- (a) That the Parks Division of Public Works assume responsibility for all playground equipment, design, and installation.
 - (b) That the Technical Division of Culture and Recreation retain full responsibility for community play equipment fundraising and ongoing maintenance.
 - (c) That a position of Parks Draft Person be created within the Parks Division of Public Works through the attrition of a position of equipment Repairer/Carpenter from the Technical Division of Culture and Recreation.

- (d) That the base budget allocation from Culture and Recreation (Account No. CH51001 70020 Equipment Repairman/Carpenter) be transferred to the Public Works Department (Account No. 62302, Parks Division) to facilitate the new Parks Draft Person when the position becomes vacant in Culture and Recreation.
 - (e) That at that time, the F.T.E. Staff Compliment in Culture and Recreation be decreased by one and the F.T.E. Staff Compliment in Public Works be increased by one.
 - (f) That within the budgetary restraints of the one F.T.E. position transfer, the Parks Division provide a range of design services for additional Culture and Recreation Department projects.
 - (g) That the reclassification of this position be forwarded to Finance and Administration.
7. (a) That approval be given to enter into a contract with Blue-Con Inc. of London, Ontario for construction of Shoreline Protection Works at Harbourfront Park. The contract amount will be \$1,384,178.75, and includes all taxes and a \$200,000. contingency amount.
- (b) That the amount of \$1,384,178.75 be funded from Account No. CF5200 419254001 for Harbourfront Park, utilizing the grant monies provided by the Provincial Ministry of the Environment.
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and Blue-Con Inc. of London, Ontario.
- (d) That the Mayor and the City Clerk execute the contract on behalf of the City.
8. That approval be given to staff to apply to the Employment and Immigration Canada Section 25 Job Creation Grant to hire up to six (6) temporary staff for 52 weeks to assist with the Hamilton Children's Museum and volunteer programmes.

1992 November 24

9. That the wording for the Hamilton and Barton Incline Railway and the Mountain View Hotel plaque attached hereto as Appendix "A", be approved.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 November 17

Appendix "A" as referred to in
Section 9 of the Twenty-First Report
of the Parks and Recreation
Committee for 1992

THE HAMILTON AND BARTON INCLINE RAILWAY (1892 - 1931)

Known locally as "the mountain", the Niagara Escarpment is Hamilton's most prominent geographic feature. While providing a scenic panorama of the City, it was also a significant impediment to travel. To address this problem a group of businessmen formed the Hamilton and Barton Incline Railway Company.

Construction began in November 1890 with the clearing of a right of way between the head of James Street South and the Caledonia Road near the site of the Mountain View Hotel. The double tracks were 700 ft. in length on a grade of 31% to overcome the 195 ft. rise of the escarpment. Over half of the line was supported on trestles which, at their maximum, held the 36 foot long cars 50 ft. above the ground. Stationary engines drew the cars to the top using steel cables.

Opened June 11, 1892, it was heavily used by residents and tourists alike. The 75 second ride provided a convenient line between the City and Barton Township for both pedestrian and horse-drawn traffic.

Improved mountain access roads and the rise in popularity of motorized traffic caused a steadily declining number of customers. The line ceased operation December 26, 1931.

The abandoned rails and equipment were removed during World War II and the right of way came under the jurisdiction of the Hamilton Parks Board.

THE MOUNTAIN VIEW HOTEL

As early as 1842 an inn, situated on this site, met the needs of those travelling the Caledonia Road (Upper James Street). Farmers from the townships to the south rested their horses here on the way to and from the Hamilton Market.

By 1850 a four storey stone building named the Mountain View Hotel had been erected. Its proximity to the escarpment's edge provided patrons with an unobstructed view of the city below and Lake Ontario beyond. The hotel served as a lookout point for the Thirteenth Battalion during the Fenian threat in 1866. The building was destroyed by fire in December 1878.

A new Mountain View Hotel was opened by 1881. This was a substantial five storey stone structure, crowned by an elaborate observation tower on its eastern end. In 1890 a pavilion suitable for roller-skating and dancing was added which attracted various family and organized events. Access was improved with the opening of the incline railway immediately to the north. When the establishment's liquor licence was revoked in 1916, the property was sold. Subsequently it served as the home of the Wentworth Hunt Club. The building was razed in 1937 and the grounds were donated to the City of Hamilton for use as a park in 1943.

1992 November 13

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTIETH** Report for 1992 and respectfully recommends:

1. That the City of Hamilton accept the sum of \$11,356 as cash payment in lieu of the 5% land dedication in connection with Wisemount Estates - Phase 1, Hamilton, located in the Lisgar Neighbourhood on the west side of Upper Kenilworth Avenue, between Landron Avenue and Limeridge Road East, being the cash payment required under Section 51 of the Planning Act.
2. That the City of Hamilton accept the sum of \$9,180 as a cash payment in lieu of the 5% land dedication in connection with Edan Heights - Phase 3, Hamilton, located in the Butler Neighbourhood on Acadia Drive, south of Stone Church Road East and west of Upper Sherman Avenue, being the cash payment required under Section 51 of the Planning Act.
3. (a) That Item 2(a), (b) and (c) of the Eighteenth Report of the Planning and Development Committee approved by City Council on 1992 October 27 be amended to read:
 - (i) That the International Village Business Improvement Area boundaries be expanded to include the following:
 1. both sides of King William Street from Mary to Wellington Streets
 2. the east side of Mary Street from King to King William Streets
 3. both sides of Ferguson Avenue from King to King William Streets
 4. the west side of Wellington Street from King William to Main Street
 5. Spring Street between King and Main Streets; and

- (ii) That the City Clerk's Department be authorized and directed to circularize the existing BIA membership and the proposed expansion area with the notice of intent to expand the boundaries of the BIA and pass a new by-law in accordance with Section 220 of the Municipal Act; and,
 - (iii) That the Law Department be authorized and directed to prepare the necessary by-law.
- 4. That a repayable loan under the Community Heritage Trust Fund in the amount of fifty thousand dollars (\$50,000) be approved for John J. Ross, in Trust, for the Hamilton Hebrew Academy, 235 Bowman Street, Hamilton. The interest rate will be six per cent, amortized over 10 years with a monthly payment of \$555.10.
- 5.
 - (a) That the Building Commissioner be authorized to not issue a demolition permit for 17 Crosthwaite Avenue North.
 - (b) That the Building Commissioner be authorized to issue a demolition permit for 547 Wilson Street. **AMENDED AND CARRIED.**
- 6. That the Mayor and City Clerk be authorized to sign the standard Grant Agreement required by the Minister of Culture and Communications for the transfer of funds to the City for the Durand Markland Heritage Conservation District Study and Plan.
- 7.
 - (a) That pursuant to the citizen input received at a Public Meeting held 1992 November 04, the North End East and West Community Improvement Plan attached as Appendix "A" (distributed to Council members under separate cover) be approved and submitted to the Ministry of Municipal Affairs for their approval; and,
 - (b) That the Law Department be authorized to prepare the necessary by-law to adopt the North End East and West Community Improvement Plan in accordance with (a) above; and,

- (c) That the Public Works Department be authorized to implement the improvements to Bay Street, Guise Street and pedestrian connections to the Waterfront Parks in accordance with the Community Improvement Plan at a total estimated cost of \$400,000., 50% Provincial and 50% Municipal including all accrued interest; (the closure of Bay Street North to be subject to review and approval of the Transport and Environment Committee); and
AMENDED AND CARRIED.
- (d) That the Finance and Administration Committee be requested to provide the matching funds of \$200,000. from the Pier 4 Park development funding Account No. CH 5200 419154007.
8. (a) That the Implementation Plan for the Central/Beasley Community Improvement Project Area under the PRIDE H.INT. Programme, attached as Appendix "B", be approved; and,
- (b) That the Community Renewal Section of the Public Works Department be authorized to implement the projects within the Plan at an upset estimated cost of \$1,095,805.90. as per the attached Appendix "C".
9. (a) That the City Clerk request the appropriate ministries of the Province of Ontario, including the Minister of Municipal Affairs, the Minister of Transportation, and others as deemed appropriate by staff, to consider the provision of funding for the Hamilton GO Transportation Centre Area Study, as outlined in the Terms of Reference, attached as Appendix "D" (as distributed to Council members under separate cover), in the amount of sixty thousand dollars (\$60,000.00), including the Goods and Services Tax;
- (b) That local Members of the Provincial Parliament be advised of the municipality's requests for funding for the Hamilton GO Transportation Centre Area Study; and,
- (c) That, if the provincial funding for the study is obtained, staff be authorized to proceed with the proposal call.

10. (a) That Council reaffirm its decision "to require access for persons with physical disabilities or barrier free design for all developments in the City, including both civic and private initiatives" as a City Policy;
- (b) That the Planning and Development Committee request the Planning and Development Department to amend the existing Official Plan policy (Section C.2 - Safety and Convenience) dealing with access and barrier free design to incorporate minor wording changes as follows:

"2.3 Council recognizes the concept of barrier free design as an important component of new development and/or redevelopment which may be realized through measures such as, but not limited to:

- (i) the ramping of sidewalks;
- (ii) the requirement of appropriate access by ramps, elevator or other means to all publicly accessible buildings and open spaces;
- (iii) the reservation of conveniently located and appropriately designed parking spaces for all public and private buildings for use by the physically disabled;
- (iv) co-operation with the appropriate public agencies to investigate and implement appropriate public transportation opportunities for the physically disabled.
- (v) co-operation with the appropriate government, public, or private agencies, organizations, or committees dealing with issues related to disabilities."

and to include these modifications in the housekeeping amendment.

11. That Zoning Application 92-31, Robert J. Charko, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-2" (Multiple Dwellings) District, to permit the development of the subject lands for a 3 1/2 storey, 16 unit multiple dwelling, for the property located at 174 Ferguson Avenue South, shown on the attached map marked as Appendix "E", be denied for the following reasons:
 - (a) it is contrary to the intent of the Official Plan, in that the proposal is incompatible with existing and proposed development in the immediate area in terms of height, bulk, and arrangement, which would ultimately contribute to an undesirable housing mix;
 - (b) it conflicts with the intent of the approved Corktown Neighbourhood Plan which designates the property "Single and Double Residential". In this regard the proposal represents high density development (i.e., 16 units or approx. 87 units per acre); and,
 - (c) it represents an over intensification of land use in that the proposal would require variances with respect to required parking in the front yard, elimination of the required loading space, etc.

12. That approval be given to Zoning Application 92-37, 394553 Ontario Limited, (J. & D. Pasquale), owners, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a take-out restaurant/delicatessen within the existing building (unit 664), for property located at 664-682 Concession Street, as shown on the attached map marked as Appendix "F", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14(1), one take-out restaurant/delicatessen having a maximum floor area of 60.0 m² shall be permitted within the existing building;

- (ii) That Sections 18A(36)1.(b)&(c) and 18A(36)2. shall not apply to the take-out restaurant/delicatessen;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1296 and that the subject lands on Zoning District Map E-24 be notated S-1296;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Merling -1.

CARRIED.

13. That leave be granted to introduce the following Bills:

- (a) Bill C-121 A By-law to amend Zoning By-law No. 6593 respecting lands located between Mohawk and Limeridge Roads East, east of Upper Kenilworth Avenue (Mohawk Sports Park)
- (b) Bill C-122 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 76-161 respecting lands located on the west side of Bow Valley Drive and south of Highridge Avenue
- (c) Bill C-123 A By-law to authorize the entering into of a Heritage Easement Agreement respecting the Hamilton Hebrew Academy
- (d) Bill C-124 A By-law to amend Zoning By-law No. 6593 respecting lands located south-west of Upper Paradise Road and Rymal Road West

1992 November 24

- (e) Bill C-125 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 255 Rymal Road East

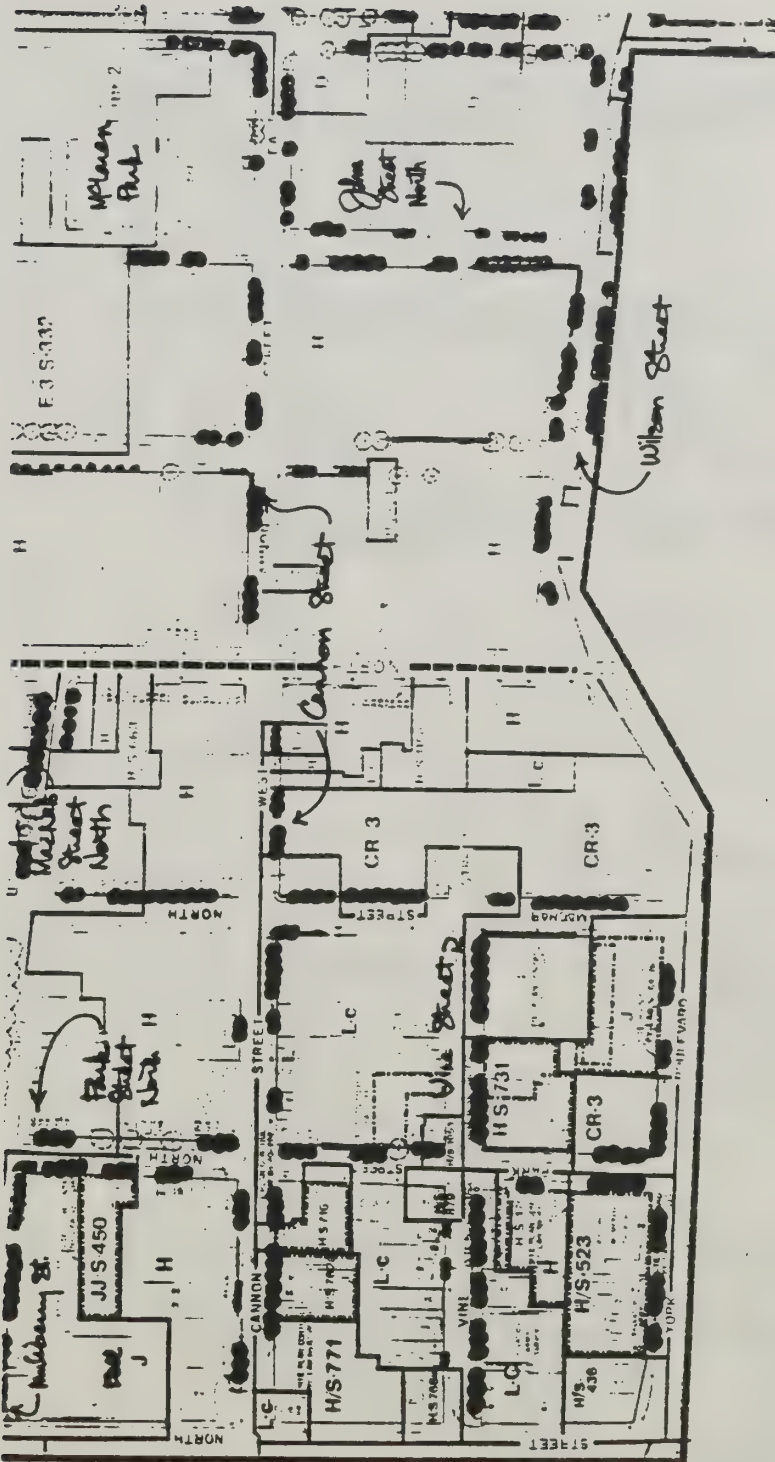
Respectfully submitted,

ALDERMAN D. DRURY,
CHAIRPERSON
P L A N N I N G A N D
DEVELOPMENT COMMITTEE

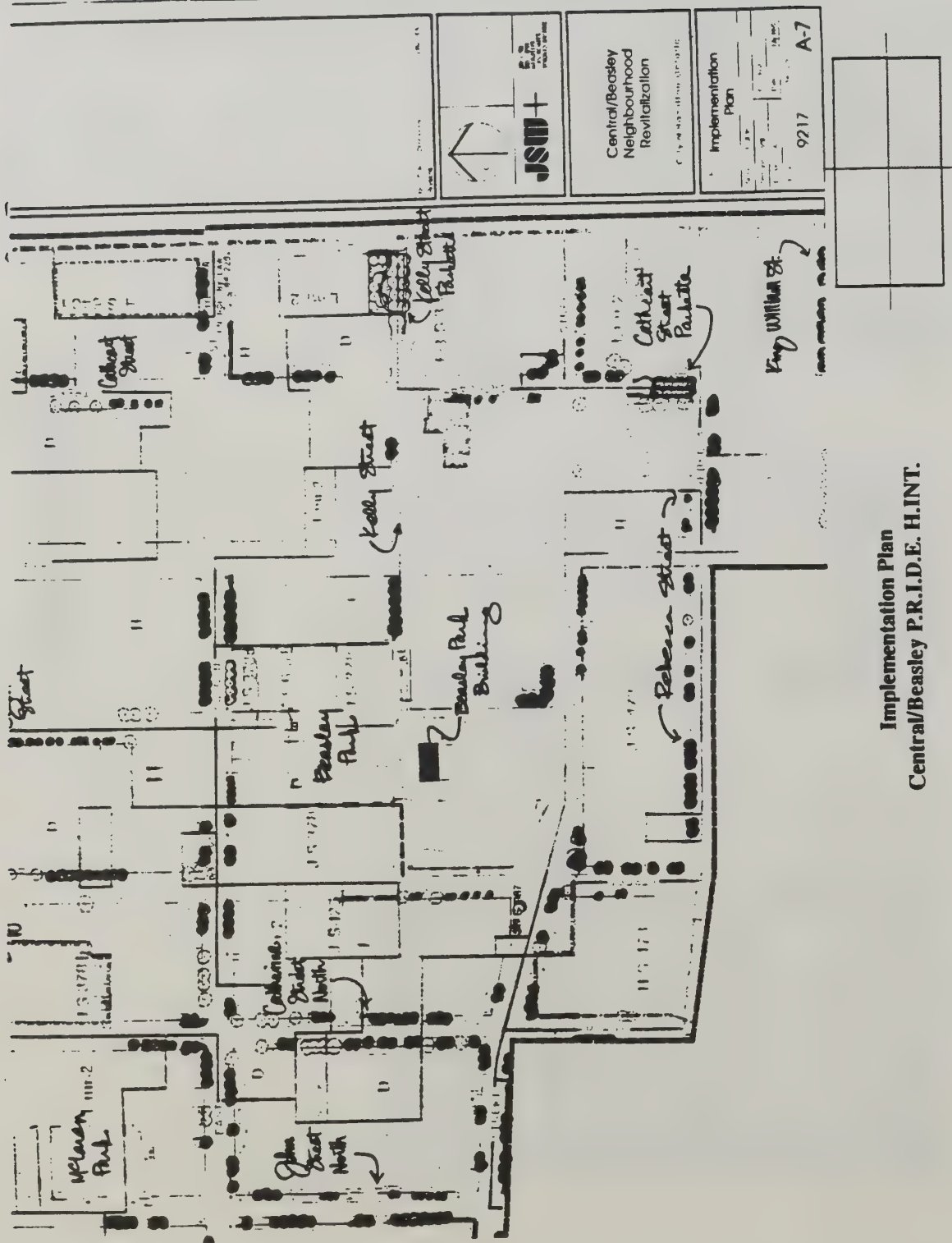
Tina Agnello
Secretary
1992 November 18

1992 November 24

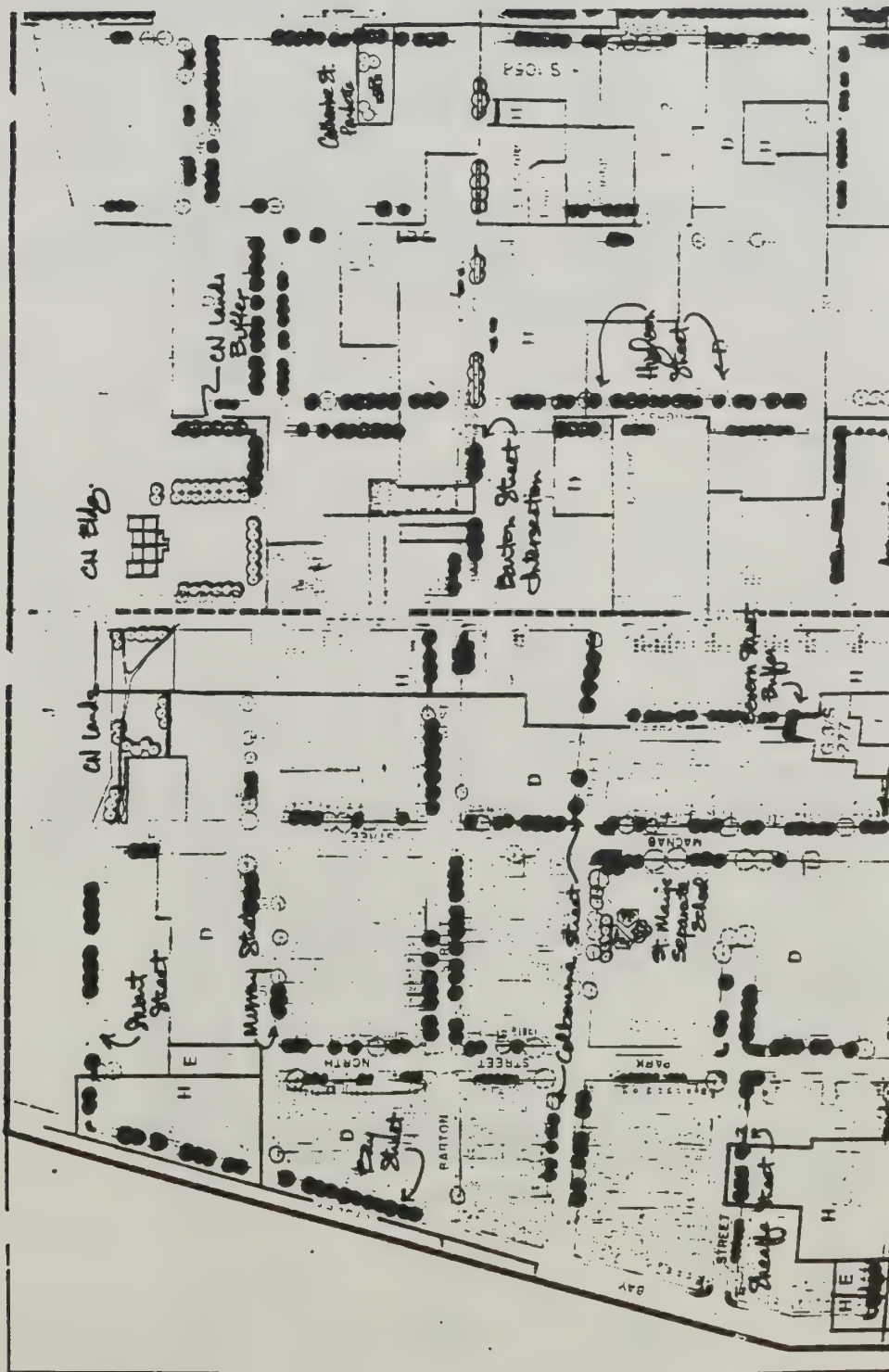
Appendix "B" referred
to in Section 8(a) of the
Twentieth Report of the
Planning and Development
Committee of 1992



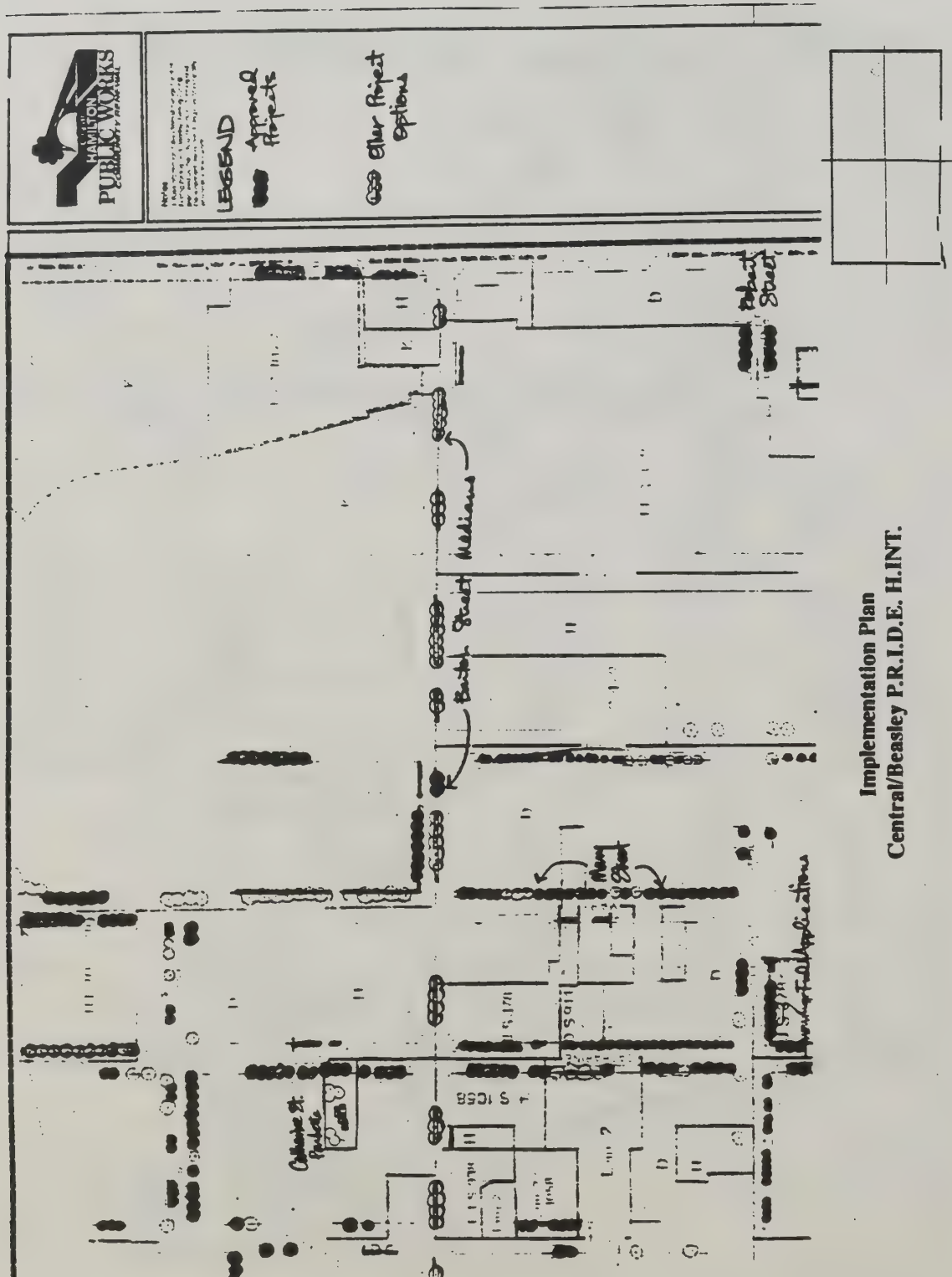
Implementation Plan
Central/Beasley P.R.I.D.E. H.I.N.T.



Implementation Plan
Central/Beasley P.R.I.D.E. H.INT.



Implementation Plan
Central/Beasley P.R.I.D.E. H.I.N.T.



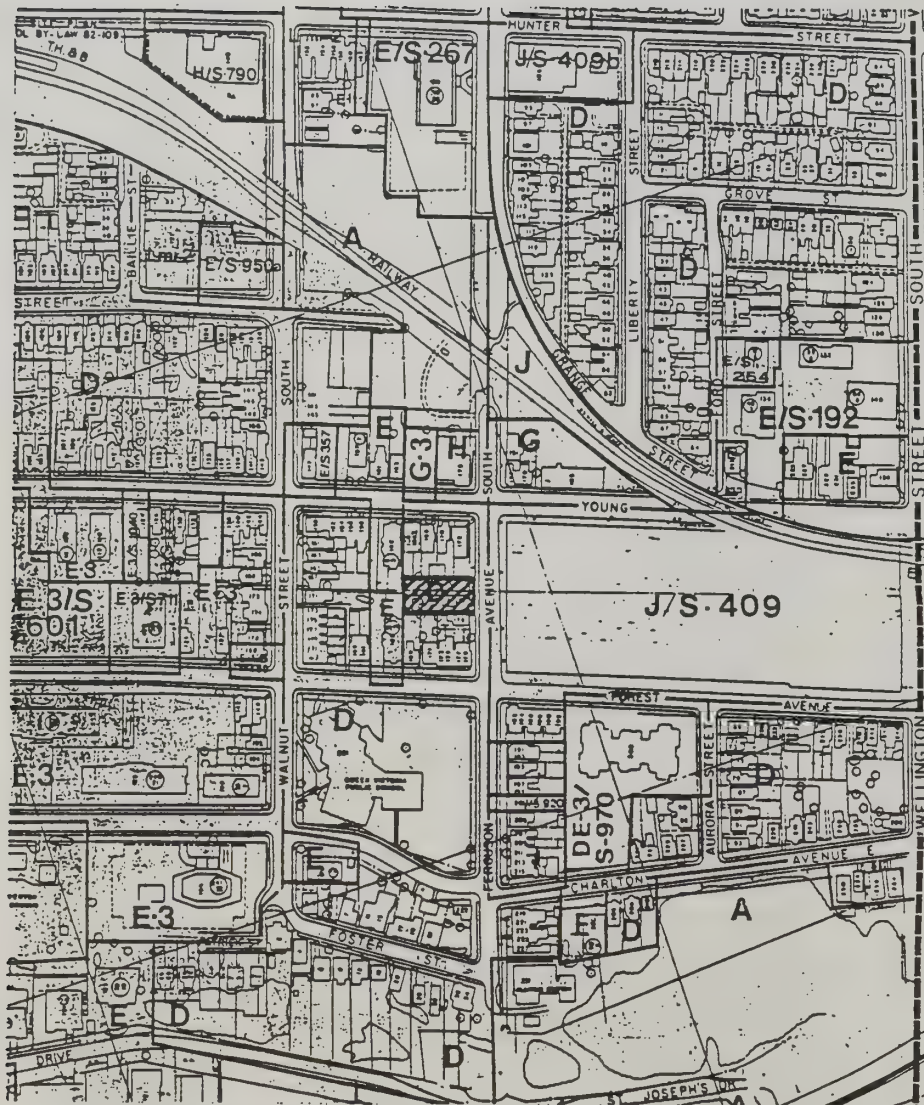
Appendix "C" referred
to in Section 8(b) of the
Twentieth Report of the
Planning and Development
Committee of 1992

APPROVED CAC PROJECTS

Barton Street Intersection	\$ 53,417.50
MacNab Street North (North of Cannon)	\$ 32,085.00
Mulberry Street	\$ 20,941.50
Severn Street Buffer	\$ 12,650.00
Sheaffe Street	\$ 35,673.00
Stuart Street Linkage	\$ 9,044.75
CN Lands Buffer in R.O.W.	\$ 21,505.00
Park Street North (North of Cannon)	\$ 41,285.00
Cannon Street	\$ 84,985.00
Robert Street	\$ 12,017.50
Cathcart Street Parkette	\$ 46,402.50
Wilson Street	\$115,805.00
Hughson Street North	\$ 36,972.50
John Street North	\$ 42,205.00
Catharine Street North	\$ 70,868.75
Mary Street North	\$ 51,175.00
Elgin Street North	\$ 35,132.50
Cathcart Street North	\$ 22,827.50
Wellington Street North	\$ 21,073.75
Park Street North (South of Cannon)	\$ 18,400.00
MacNab Street North (South of Cannon)	\$ 23,862.50
Buffer - All Soul's Church parking lot	\$ 9,027.50
Murray Street	\$ 24,955.00
Bay Street	\$ 7,647.50
Colbourne Street	\$ 13,340.00
Severn Street	\$ 5,235.50
Mulberry Street (Bet. MacNab & James)	\$ 5,635.00
Kelly Street	\$ 10,120.00
Rebecca (Bet. Ferguson & Catharine)	\$ 6,037.50
King William Street	\$ 3,622.50
Vine Street	\$ 21,447.50
Robert Street (Bet. John & Wellington)	\$ 12,477.50
St. Mary's Separate School	\$ 25,000.00
	<u>\$952,874.75</u>
15% Contingency	\$142,931.21
<u>TOTAL</u>	<u>\$1,095,805.90</u>

1992 November 24

Appendix "E" referred
to in Section 11 of the
Twentieth Report of the
Planning and Development
Committee of 1992



Legend



Site of the Application

ZA-92-31

Appendix "F" referred to in Section 12 of the Twentieth Report of the Planning and Development Committee of 1992



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-THIRD** Report for 1992 and respectfully recommends:

1. That the City of Hamilton endorse the resolution of the Irish Canadian Club of Hamilton as follows:

WHEREAS the Parks Service of Environment Canada proposes to develop Grosse Ile as a National Historic Park;

AND WHEREAS the Development Concept published by the Parks Service ignores the tragic truth of the deaths in 1847 of 15,000 Irish men, women and children whose mortal remains are buried in mass graves on Grosse Ile;

AND WHEREAS Action Grosse Ile and the Irish Canadian Club of Hamilton commend the principle of developing Grosse Ile as a National Historic Park, but have serious reservations about the historical inaccuracies in the approach taken by the Parks Service;

AND WHEREAS the Island of Grosse Ile is commonly known in the Region of the St. Lawrence Valley as "l'île irlandaise", the Irish Island;

AND WHEREAS more than half of all the immigrants who passed through Grosse Ile between 1832 and 1860 were of Irish origin;

AND WHEREAS several notable Hamiltonians including His Honour Mayor Bob Morrow; Liberal Deputy Leader Sheila Copps, M.P.; His Grace Anthony Tonnos, Bishop of Hamilton and Bryan Adamczyk, President of Hamilton & District Labour Council have urged the government to respond positively to the concerns of the Irish community;

BE IT THEREFORE RESOLVED THAT the City of Hamilton encourages the Prime Minister, the Minister of the Environment and the Government of Canada to ensure that the Irish graves of Grosse Ile are properly acknowledged and perpetuated as the main theme of the National Historic Park and as a permanent monument to the Irish role in the building of Canada.

THAT this resolution be circulated to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and all municipalities in Canada with a population in excess of 50,000.

ADDED AND CARRIED.

2. That as referred to in Section 7 of the Twentieth Report for 1992 of the Planning and Development Committee, a capital project for the improvement to Bay Street, Guise Street and pedestrian connections to the Waterfront Parks in accordance with the Community Improvement Plan at a total cost of \$400,000. be approved and financed 50%, i.e. \$200,000. by the Province of Ontario subsidy and the City's cost of 50%, i.e. \$200,000. be financed by Account No. CF 4136-419154007 (Pier 4 Park Development-Harbourfront-Reserve financing). Accordingly, the gross cost of the Pier 4 Park Development-Harbourfront Account Centre No. CF 419154007 be reduced from \$2,100,000. to \$1,900,000. to stay within the authorized financing.
3. That a purchase order be issued to City Chev Geo Olds, Hamilton, in the amount of \$83,917.80 including all applicable taxes, for the replacement of three (3) Crew Cabs with steel dump bodies, units 9233, 9057, 9215, Fleet Services, being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.

4. That a purchase order be issued to Shell Canada, Toronto, for the supply and delivery of #1 Diesel Premium Fuel at \$0.3876 per litre, plus applicable taxes, as and when required to 1994 June 30, being the lowest of nine (9) tenders received, in accordance with specifications issued by the Manager of Purchasing and Stores, Hamilton Street Railway and Vendor's tender, and that these expenditures be financed through various approved accounts.
5. (a) That the revised Hamilton Farmers' Market Stand Contract for 1993, attached herewith and marked Appendix "A", be approved. The revised contract reflects the change to the City's Primary Liability policy from \$2,000,000. to \$3,000,000; and,

(b) That the City Solicitor be directed to prepare the necessary By-law to adopt this contract.
6. That approval be given to the action taken by the Hamilton Farmers' Market Sub-Committee in scheduling Market Days throughout the 1992/93 Christmas holidays as follows:

Christmas Week

New Year's Week

Monday, 1992 December 21

Tuesday, 1992 December 22

Wednesday, 1992 December 23

Thursday, 1992 December 24

Tuesday, 1992 December 29

Thursday, 1992 December 31

Saturday, 1993 January 02

7. (a) That permission be granted to hold the City Hall Christmas Carol Program on the second floor foyer of City Hall on Friday, 1992 December 18 from 9:00 o'clock a.m. to 10:30 o'clock a.m.; and

(b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
8. That the contract settlement of the Association of Millwrighting Contractors of Ontario Inc., and the Millwright District Council of Ontario, United Brotherhood of Carpenters and Joiners of America, Local Unions 1007, 1151, 1244, 1410, 1425, 1592, 1916 and 2309 be received pursuant to the Fair Wage Policy of the City of Hamilton.

9. That the contract settlement of the Ontario Painting Contractors Association and the Ontario Council of the International Brotherhood of Painters and Allied Trades be received pursuant to the Fair Wage Policy of the City of Hamilton.
10. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1992 November 10, attached herewith and marked Appendix "B", be approved.
11.
 - (a) That funding in the amount of \$218.28 be approved to cover the cost of one school bus used for a Voyageur '92 Program Group from Newfoundland to transport them to Toronto and Niagara Falls for a one day excursion on 1992 November 2; and,
 - (b) That funding for this expenditure be charged to the Miscellaneous Charges within the Unclassified Centre Account No. CH 55199-24201.
12.
 - (a) That the updated 1993 General Grant Application be made available for distribution by 1992 November 30, and that the deadline for submission to the Grants Co-ordinator be 1992 December 31 (which will be advertised in the local media). Copies of the updated Application were distributed to the Finance and Administration Committee and are available from the Committee Secretary upon request.
 - (b) That all references within the Grant Application and policies addressing the Grants Review Group be changed to Grants Process Group; and,
 - (c) That the mandate of the Grants Process Group be to review all applications to ensure compliance with policy and required information, to assemble all relevant information to provide information reports to assist in the decision making process, and address all issues of an administrative nature; and,
 - (d) That both the Arts Advisory Sub-Committee and the Sports Council provide comments (not priority or funding) to the Grants Process Group with respect to the benefits to the community of the related Arts and Sports grant applications submitted and that these comments provide additional background information for the Grants Process Group; and,

- (e) That the 1993 Grants budget be established during the 1993 Current Budget deliberations, and that the specific grant recommendations be finalized within a month of the adoption of the 1993 Current Estimates; and,
 - (f) That the process for the 1993 General Grants be finalized by 1993 January 26, subject to clarification of some outstanding issues which will be discussed at subsequent Finance and Administration Committee meetings.
13. (a) That the City of Hamilton accept title to the property known municipally as 36 Cliff Avenue for \$1. to be incorporated into the Concession Street Library and the cost for this transfer be charged to Account No. CF-5698-919241005 (Miscellaneous Expenses Concession Library Expansion); and,
- (b) That the City Solicitor be authorized to prepare and register the necessary Deed; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
14. (a) That the Hamilton Farmers' Market fees for 1993 be increased by two (2%) percent, as per the Schedule attached herewith and marked Appendix "C"; and,
- (b) That the City Solicitor be directed to prepare an amendment to By-law 81-180, to reflect this increase, effective 1993 January 01.
15. That a new scrubber/sweeper be purchased for the Farmers' Market at an estimated cost of \$12,000. plus applicable taxes to be financed from the anticipated surplus in the 1992 City Clerk's Department Budget.
16. That a two colour head for the existing offset printing press in the Print and Mail Section of the City Clerk's Department be purchased at an estimated one time cost of \$8,000. plus applicable taxes to be financed from the anticipated surplus in the 1992 City Clerk's Department Current Budget.

17. (a) In that infill development for commercial and industrial properties through conversion or construction on an existing previously developed lot, imposes a demand for services less than that required for new development, full credit shall be given under the City of Hamilton Development Charges By-law #90-74 for buildings existing on the site within the 10 year period before enactment of the By-law on 1990 March 27; and,
- (b) That the above policy be forwarded to the Hamilton-Wentworth Region for consideration in order to harmonize the application of the City and Regional Development Charges By-laws.
18. (a) That Purchasing Corporate Policy Number 9 be rescinded and the following substituted in lieu thereof:

Where goods or equipment are surplus to the needs of any City Department the Manager of Purchasing shall be so notified.

The Manager of Purchasing shall offer any useable goods or equipment declared surplus first to other City Departments, second to the Region and other Area Municipalities, and thirdly to other public agencies within the Co-operative Purchasing Group for the appraised amount.

If, after this process, there are still goods or equipment to be disposed of, then, upon the approval of the Chief Administrative Office, the Manager of Purchasing may cause them to be sold through sealed bids or public auction.

No employee, elected City official, member of the immediate family of any employee or elected City official, or agent on behalf of any employee or elected City official, shall bid on the sale of any goods or equipment whether by sealed bids, public auction or otherwise.

Only those municipalities and public agencies within the Co-operative Purchasing Group which have adopted policies similar in content and intent to this Policy shall be permitted to participate in the disposal of their assets through any public auction sale or sealed bid process to be conducted by the City of Hamilton.

For the purpose of this policy:

"employee" shall mean any employee, appointed official, or director, of the Corporation of the City of Hamilton, its Local Boards, or the Hamilton Entertainment and Convention Facilities Inc., and;

"immediate family" shall mean any parent, step-parent, spouse, common law spouse, same sex spouse, child, step-child, brother, sister, step-brother, or step-sister.

- (b) That all municipalities, and public agencies within the Co-operative Purchasing Group which have participated in the City of Hamilton's disposal of surplus goods or equipment by sealed bid or public auction be advised of this new policy.
19. That the amount of \$125. for the purchase of a table (10 people) for attendance at the "Tiger-Cat Wall of Fame Dance" to be held 1992 November 20, as recommended by the Parks and Recreation Committee at its meeting held 1992 November 17, be charged to the Unclassified Account, Centre 24201.
20. For the information of the members of City Council, the Finance and Administration Committee has given its approval to pursuing the creation of a new slogan for the City of Hamilton and has established a Sub-Committee to investigate and report back to it on a methodology for doing so.

Recorded vote.

YEAS: Aldermen Agro, Drury, Morelli, Copps, Agostino, D'Amico. -6.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -11. LOST.

21. For the information of the members of City Council, the Finance and Administration Committee has approved the formation of an Anti-Prostitution Task Force for the City of Hamilton with the following Terms of Reference and Mandate:

- (a) That membership on the Task Force, excluding 2 members of City Council, will not exceed twenty-one (21) in number; and,
- (b) That members of the Task Force will include a core membership of one individual from the following organizations:
 - (i) Department of Health
 - (ii) Department of Social Services
 - (iii) Department of Regional Police
 - (iv) Hamilton-Wentworth School Boards
 - (v) Neighbourhood Associations
 - (vi) Mayors Race Relations Committee
 - (vii) Legal Department
 - (viii) Member of the Hamilton Business Community
 - (ix) Department of Culture and Recreation
- (c) That the balance of the Task Force membership will be comprised of other interested citizens in the community, subject to selection by the Chairperson and the core Task Force members; and,
- (d) That Alderman Bernie Morelli, be appointed as the initial Chairperson of the Committee, and that the Task Force determine their own structure and methods of proceeding; and,
- (e) That the Chief Administrative Officer, in conjunction with the necessary City Officials, ensure that the required secretarial support staff is provided to the Task Force; and,
- (f) That the Mandate of the Task Force will be:
 - (i) To review, study and assess all aspects of prostitution in the City of Hamilton, with particular emphasis on its impact in neighbourhoods and the City in general; and,
 - (ii) To identify specific problems and develop effective responses to them; and,

- (iii) To liaise with all jurisdictions which interface with prostitution activity and to develop and implement programs and recommendations to more effectively counter prostitution activities; and,
 - (iv) To develop effective programs, in conjunction with all interfacing agencies, in order to educate and train residential neighbourhoods to more effectively respond to localized prostitution activity; and,
 - (v) To communicate the progress of its work and to made recommendations to Hamilton City Council through the Finance and Administration Committee, on a regular basis.
22. That Alderman W. McCulloch be authorized to represent the City of Hamilton at an F.C.M. meeting in Ottawa the last part of 1992 November, respecting Chinese exchanges.
23. That Ms. Patrice Noé Johnson's contract as City Solicitor be renewed for a five-year period commencing 1993 March 13, under the terms and conditions as set out in the employment contract.
24. That leave be granted to introduce the following Bill:
- Bill H-70 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 November 19**

1992 November 24

Appendix "A" referred
to in Section 5 of the
Twenty-Third Report of the
Finance and Administration
Committee for 1992.

HAMILTON FARMERS' MARKET CONTRACT

Commencing:

Ending:

I, (We) the undersigned

(Print Name(s))

hereby undertake and agree without reservation of any kind with The Corporation of the City of Hamilton for the privilege of occupying and using a stand at the Hamilton Farmers' Market, as follows:

1. To pay a fee for the use of the stands for a twelve-month term from January 1st to December 31st unless terminated prior to December 31st as set out below, for

(a) Stand No. Fee:

(b) Stand No. Fee:

(c) Stand No. Fee:

2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract shall terminate if the fees are in arrears in excess of one month.

3. If I (we) have not occupied my (our) stand(s) by 9:00 o'clock a.m. on any market day, my (our) right to occupy and use my (our) stand(s) is forfeited for that day only.

4. This contract entitles me (us) only to the use of the stand(s) referred to in this contract.

5. To give the Market Manager thirty (30) days written notice in the event that I (we) propose to terminate my (our) use of my (our) assigned stand or stands.

6. (1) The refrigeration units whose location and size are described in Appendix 1 to this contract form part of the assigned stand(s).

(2) I (We) will pay and be responsible for all repairs and maintenance costs of the refrigeration units and that Fox Refrigeration Inc. will make all such repairs and provide all such maintenance as are necessary in the opinion of the Market Manager to keep and maintain the refrigeration units in good working order.

7. That The Corporation of the City of Hamilton shall have the right at any time and from time to time to assign to me (us) a stand(s) in place of the stand(s) referred to above and to increase or decrease the term fee(s) in accordance with the fee(s) for the substitute stand(s) and upon assignment to vacate the stand(s) occupied by me (us) at such time as may be specified to me (us) by the Market Manager.

8. That any stand(s) assigned to me (us) is (are) owned and in possession of the City of Hamilton at all times and I (we) have been given the privilege only of occupying or using the stand(s).

9. I (We) will observe and comply with all public health laws and food laws of Ontario and Canada and with all by-laws, regulations, notices, orders and demands of the City.

10. That I (we) will remove and restore all changes to the stand(s) to its (their) original condition at the time the stand(s) was (were) assigned to me (us) at my (our) sole cost and expense and at no cost or expense to the City.

11. I (We) shall and do hereby indemnify and save harmless The Corporation of the City of Hamilton from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses or loss which the City may bear, suffer or be put to by reason of any damage to property or injury or death to persons as a result of the privilege herein allowed to me (us).

1992 November 24

12. That notwithstanding any other provision, this contract will not come into effect and no stand(s) shall be assigned to me (us) unless and until I (we) file proof of a public liability insurance policy in an amount not less than Three Million Dollars (\$3,000,000.00) satisfactory with the Market Manager.

DATED at Hamilton, Ontario this day of 19

**
.....
Market Manager

Signature in Full of Stallholder(s)

**
.....

**
.....

.....
Address of Stallholder (Street) (Please Print)

.....
(City, Province, Postal Code)

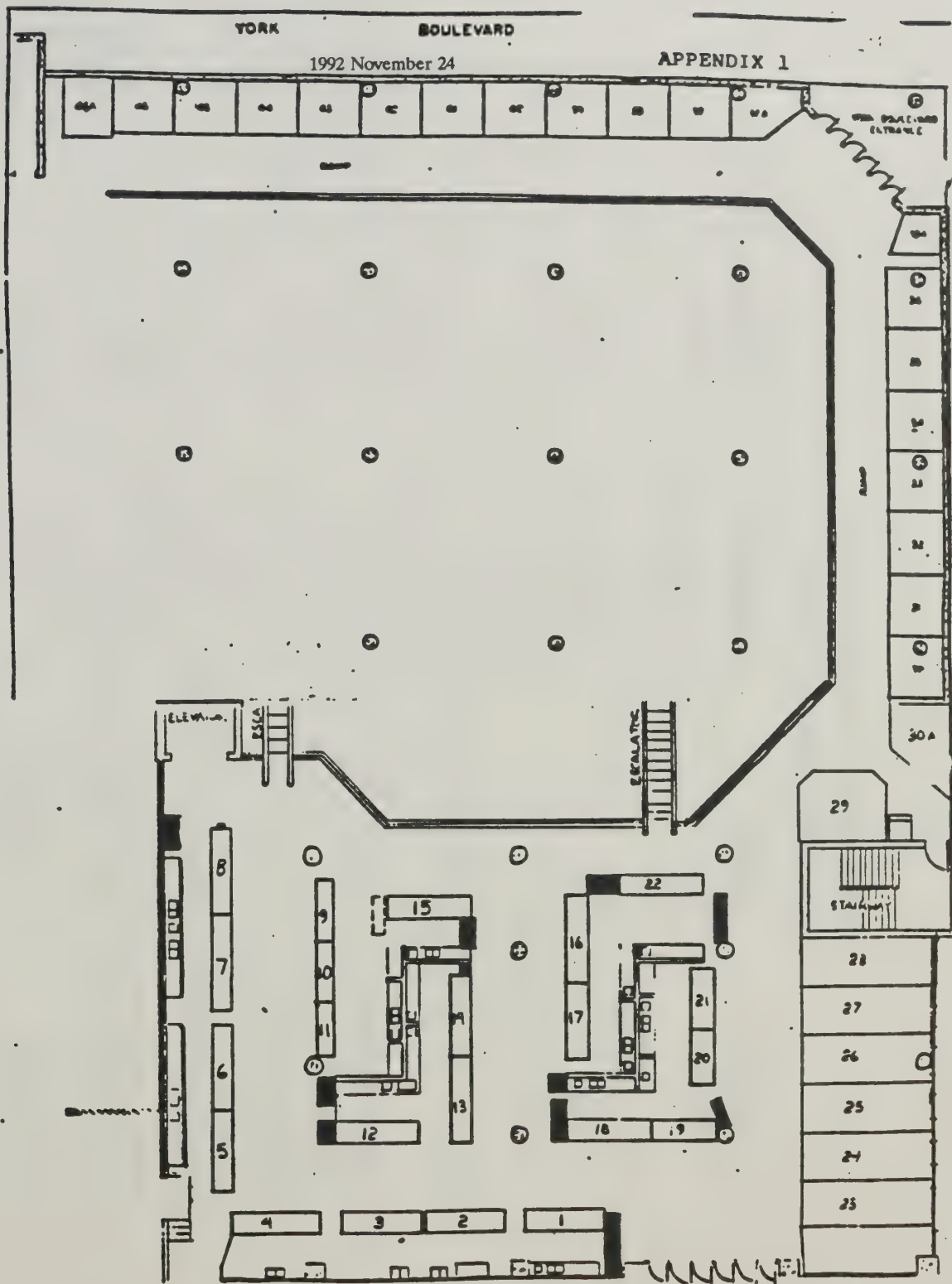
.....
Telephone Number

.....
Address of Stallholder (Street) (Please Print)

.....
(City, Province, Postal Code)

.....
Telephone Number

** Each person whose name appears at the beginning of this contract, must sign and provide their address and telephone number.



■ - ADDITIONAL INSTALLATIONS
 : : [] - PROPOSED INSTALLATIONS

**MARKET MEZZANINE
 AND RAMP**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Armand Arseneault	Motor Mechanic I (T2A)	Public Works	Replacing Mr. A. Estravillo - promoted	\$41,419.04	05/10/92
Ms. Deborah Gagnon	Title Searcher and Legal Clerk (15-D)	Law	Replacing Mr. A. Biro - reclassified	\$30,965.48 to \$35,622.86	05/10/92
Mr. John Gaylard	Storeskeeper (N-4A)	Fire	Replacing Mr. D. Farkas - promoted	\$47,401.00	02/10/92
Mr. Klaus Kaesler	Senior Systems Analyst (I)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	05/10/92
Mr. Peter Paweska	Facility Supervisor (11-C)	Culture & Recreation	Replacing Mr. R. Jackman - promoted	\$39,278.72 to \$47,010.08	21/10/92
Ms. Lorna Rowell	Probationary Fire Inspector (N-1A)	Fire	Replacing Mr. L. Choppick - retired	\$36,867.15	26/10/92
Mr. Peter Ryder	Senior Systems Analyst (I)	Information Systems	New Position Council Approved - January 30, 1990	\$56,217.72 to \$66,242.28	05/10/92
Mr. Brian Vukmanich	Rink Attendant I (D-16B)	Culture & Recreation	Replacing Mr. D. Biggs - terminated	\$34,326.24	26/10/92

Prepared 10/11/92

1992 November 24

Appendix "B" referred to in Section 10 of the Twenty-Third Report of the Finance and Administration Committee for 1992.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Henry Akeman	Garbage Worker	Public Works	Terminated	7 years, 6 months	02/10/92
Mr. Dave Biggs	Rink Attendant 1	Culture & Recreation	Terminated	8 years, 2 months	05/10/92
Mr. Ken Campbell	Assistant Chief Steward	H.E.C.F.I.	Terminated	5 years	13/10/92
Mr. Larry Cowles	Facility Supervisor	Culture & Recreation	Terminated	20 years, 1 month	24/09/92
Mr. Gord Kerr	Manager, Fleet Services	Public Works	Terminated	3 years, 7 months	13/10/92
Ms. Carole Morin	Hospitality Sales Executive	H.E.C.F.I.	Resigned	5 months	29/09/92
Mr. Harry Reinhold	Superintendent, Streets & Sanitation	Public Works	Retired	33 years, 5 months	30/10/92
Ms. Arlene Wright	Accounting Clerk	H.E.C.F.I.	Resigned	10 years, 4 months	05/10/92

1992 November 24

Prepared 10/11/92

**HAMILTON FARMERS MARKET
1993 FEE SCHEDULE****SCHEDULE 'B' TO BY-LAW NO. 87-324****PART 1: PRODUCERS' AND DEALERS' FEES**

Stand Number	Location	Amount of Producers' and Dealers' Fees		
		Per Month	Per Day	YRLY
1 to 8	(Refrigeration Units)	275.00	N/A	3300.
12 to 18	(Refrigeration Units)	275.00	N/A	3300.
22	(Refrigeration Units)	275.00	N/A	3300.
9,10,11	(Refrigeration Units)	230.00	N/A	2760.
19,29,21	(Refrigeration Units)	230.00	N/A	2760.
23 to 46	RAMP	160.00	26.00	1920.
47 to 62A	North Wall - Main Floor	160.00	26.00	1920.
63 to 70	West Wall - Main Floor	160.00	26.00	1920.
71 to 95	South Wall - Main Floor and Under Ramp	160.00	26.00	1920.
96 to 100	Loading Docks (from 7:30am to 4:00pm)	160.00	26.00	1920.
101 to 111	East Wall - Main Floor	160.00	26.00	1920.
112 to 143	Stands in Middle from East to West (North Side)	160.00	26.00	1920.
144 to 175	Stands in Middle from West to East (South Side)	160.00	26.00	1920.
30a,34a,36a,37a,46a		89.00	12.00	1068.

1992 November 24

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIFTH** Report for 1992 and respectfully recommends:

1. That Alderman H. Merling and Alderman B. Charters be appointed to the Committee of Adjustment for a term to expire 1993 November 24.

Respectfully Submitted.

Mayor R. M. Morrow
Chairman
Nominating Committee

J. J. Schatz
Secretary

1992 November 24

1992 December 8

Minutes of Hamilton City Council
1992 December 8
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

The City Council meeting commenced with the singing of the National Anthem accompanied by the Sherwood Secondary High School Band.

* * * * *

Archdeacon Ken Patterson, St. Michael's Anglican Church led Council in prayer.

* * * * *

Mayor Morrow presented civic pins to the Hamilton Synchronized Swim Club for winning the 1992 Synchronized Swimming Provincial Championships held in Etobicoke, Ontario.

* * * * *

Mayor Morrow presented civic gold pins to the Hamilton-Wentworth Aquatic Club for winning the 1992 Provincial Age Group Championship.

* * * * *

The minutes of the meeting held 1992 November 24 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Application dated 1992 November 24 from Primecan Holdings Inc., 242 Main Street East, Hamilton, Ontario requesting the removal of the "H" Holding Provision from the "C" (Urban Protected Residential, etc.) District, "RT-2" (Townhouse-Maisonette) District, modified and "E-2" (Multiple Dwellings) District, modified for lands located on the west side of Upper Wellington Street, south of Limeridge Road East, Hamilton, Ontario.

Received.

2. Application dated 1992 November 24 from David John Armstrong, 83 Seymour Drive, Ancaster, Ontario for a change in zoning from "HH" (Restricted Community Shopping and Commercial) District, modified, to "G-4" (Designed Neighbourhood Shopping Area) modified, for property located at the south-west corner of Upper Sherman Avenue and Limeridge Road East, Hamilton, Ontario.

Received.

3. Application dated 1992 November 30 from Ontario Land Corporation, 777 Bay Street, Toronto, Ontario for a further modification to the "C" (Urban Protected Residential, etc.) District regulations for lands located in the area between Duncairn Crescent and Heatherdale Place and on the west side of Gondola Street.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and the Nominating Committee be now considered in Committee of the Whole with Alderman Wilson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT
--

Section 40 Re: 1988 - 1991 Roadway Reconstruction Programs

It was moved by Alderman Merling and seconded by Alderman Anderson that the Thirteenth Report of the Transport and Environment Committee be amended by deleting Section 40 in its entirety and substituting in lieu thereof the following:

- (a) That the outstanding commitments in the 1988 to 1991 Roadway Reconstruction Programs in the amount of \$3,201,120.93 be financed from the \$4,732,680. available in Unallocated Ministry of Transportation of Ontario (MTO) Subsidies.
- (b) That the Finance and Administration Committee consider the transfer of \$1,000,000. of the Unallocated Excess MTO Subsidy to the 1992 Reconstruction Program.
- (c) That the balance of \$531,559.07 remain in the Excess Unallocated MTO Subsidy.

CARRIED.

* * * * *

Section 45 Re: City Tree By-law

It was moved by Alderman D'Amico and seconded by Alderman Ross that Section 45 of the Thirteenth Report of the Transport and Environment Committee be referred back.

CARRIED.

* * * * *

Section 46 Re: City Tree By-law

It was moved by Alderman Agro and seconded by Alderman McCulloch that section 46 of the Thirteenth Report of the Transport and Environment Committee be referred back.

CARRIED.

* * * * *

**Section 49 Re: Ministry of the Environment - Philip Environmental Services Corp.
- 52 Imperial Street.**

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro is an Employment Benefits Consultant for a subsidiary company.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Eisenberger that Rule No. 8 of the Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding through traffic in the Kentley Neighbourhood. (Melvin Avenue, Pottruff Road, Ede Street and Woodman Drive)

CARRIED.

Section 52 Re: Traffic in the Kentley Neighbourhood (Melvin Avenue, Pottruff Road; Ede Street; and Woodman Drive

It was moved by Alderman Merling and seconded by Alderman Eisenberger that the Thirteenth Report of the Transport and Environment Committee be amended by adding Section 52 as follows:

- 52. (a) That eastbound traffic on Melvin Avenue be prohibited from turning right onto Pottruff Road from 3:00 p.m. to 6:00 p.m., Monday to Friday; and
- (b) That three-way stop control be implemented at the intersection of Pottruff Road and Ede Street; and
- (c) That the existing "No Parking" regulation on the west side of Woodman Drive from Queenston Road to a point 430 feet northerly therefrom be rescinded; and
- (d) That the City Traffic By-law No. 89-72 be amended accordingly.

CARRIED.

* * * * *

Section 53 Re: Introduction of Bills A-104 and A-105.

It was moved by Alderman Merling and seconded by Alderman Eisenberger that the Thirteenth Report of the Transport and Environment Committee be amended by adding Section 53 as follows:

53. That leave be granted to introduce the following Bills:

- (a) Bill A-104 By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) Bill A-105 By-law to Amend By-law No. 89-72 to Regulate Traffic
- CARRIED.**

PARKS AND RECREATION COMMITTEE - TWENTY SECOND REPORT

Section 1 Re: Contract between the City and King's Forest Golf Course

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TWENTY FIRST REPORT

Section 7 Re: Zoning Application - Pane Del Sole Bakery - 150 Catharine Street

It was moved by Alderman Drury and seconded by Alderman Eisenberger that the TWENTY-FIRST Report of the Planning and Development Committee be amended by deleting Section 7 and replacing with the following text:

- "7. A. That approval be given to amended Zoning Application 92-39, Pane Del Sole Bakery (Mr. Gaetano Lattuca), owner, for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit a parking lot at 150 Catharine Street North, to be used in conjunction with an adjoining bakery use located at 104 Cannon Street East, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District as contained in Section 10 of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10(1) of Zoning By-law No. 6593, only a parking lot accessory to the adjoining bakery use located at 104 Cannon Street East shall be permitted, subject to the following conditions:
 - (1) That a landscape planting strip having a minimum width of 1.5 m shall be provided and maintained along the northerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within the landscape planting strip, except for any area used for vehicular access;
 - (2) That a landscape planting strip having a minimum width of 1.5 m, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly lot line;
 - (3) That a landscape planting strip having a minimum width of 2.4 m shall be provided and maintained along the westerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained within the landscape planting strip;
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1297, and that the subject lands on Zoning District Map E-4 be notated S-1297;

- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as the owner applies for and receives site plan approval, and the site plan is registered on title with the land." **CARRIED.**

* * * * *

Section 8 Re: Zoning Application - Frank and Filomena Ricci - 21 Dunsmure Road.

Alderman Drury declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Drury resides in the immediate area.

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-FOURTH REPORT
--

Section 2 Re: Civic gold pins - Hamilton-Wentworth Aquatic Club

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 2 of the Twenty-Fourth for 1992 of the Finance and Administration Committee be amended to include the following name: "Donna Vakalis" **CARRIED.**

* * * * *

Section 15 (d) Re: Renovations to the City Clerk's Department and City Garage

Recorded vote.

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1. **CARRIED.**

* * * * *

Section 16 Re: Resolution from the City of Vaughan

It was moved by Alderman Agro and seconded by Alderman Kiss that Section 16 of the Twenty-Fourth Report of the Finance and Administration Committee be amended by deleting the word "received" in the second sentence and substituting in lieu thereof the word "endorsed".
CARRIED.

* * * * *

Section 27 Re: Grant - Hamilton World Curling Championships Bid Committee

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Agostino, Merling. -3. **CARRIED.**

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Section 29 Re: Ontario Hydro increase

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Wilson. -1. **CARRIED.**

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It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting grant funding for a handicapped ramp at St. Gregory the Great Banquet Hall at 125 Centennial Parkway.
CARRIED.

Section 35 Re: St. Gregory the Great Banquet Hall - Grant

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that the following be added as Section 35 of the Twenty-Fourth Report for 1992 of the Finance and Administration Committee:

35. (a) That a grant in the amount of \$20,000. be approved to assist in the construction of a handicapped ramp at St. Gregory the Great Banquet Hall at 125 Centennial Parkway; and,
- (b) That the funds for this grant be charged to the Capital Grants Account No. CF5693 259155007.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Agostino, Eisenberger, Jackson, Merling. -8.

NAYS: Aldermen Cooke, Agro, McCulloch, Copps, Wilson, Charters, Anderson, D'Amico, Ross. -9. **LOST.**

* * * * *

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-FIFTH REPORT

Section 1 (a)(c)(d) Re: Plan to integrate City and Regional Administration

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 1 (b) Re: Plan to integrate City and Regional Administration

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Drury. -1

CARRIED.

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NOMINATING COMMITTEE - SIXTH REPORT

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman V. Agro be appointed Acting Mayor for the month of January, 1993. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99, A-100, A-101, A-102, A-103, A-104, A-105.
C-126, C-127, C-128, C-129, C-130.
H-71, H-72, H-73, H-74, H-75.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Wilson in the chair. (second reading).

A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99, A-100, A-101, A-102, A-103, A-104, A-105.
C-126, C-127, C-128, C-129, C-130.
H-71, H-72, H-73, H-74, H-75.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99, A-100, A-101, A-102, A-103, A-104, A-105.
C-126, C-127, C-128, C-129, C-130.
H-71, H-72, H-73, H-74, H-75.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-92, A-93, A-94, A-95, A-96, A-97, A-98, A-99, A-100, A-101, A-102, A-103, A-104, A-105.
C-126, C-127, C-128, C-129, C-130.
H-71, H-72, H-73, H-74, H-75.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

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City Council then adjourned at 9:10 o'clock p.m.

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Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1992 December 8

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1992 and respectfully recommends:

1. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 1st Street between Fennell Avenue West and Monarch Road in conjunction with the existing "Alternate Side Parking" regulation; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 2nd Street between McElroy Road West and South Bend Road West; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 4th Street between South Bend Road West and Richwill Road; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 1st Street between McElroy Road West and South Bend Road West; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Collier Crescent between South Bend Road West and South Bend Road West; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That a "No Parking" regulation be implemented on the west side of Leland Street between Whitney Avenue and Merna Avenue; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
7. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday, regulation be implemented on both sides of West 1st Street between Wembley Road and McElroy Road West; and
(b) That an "Alternate Side Parking" regulation be implemented on West 1st Street between Wembley Road and McElroy Road West such that parking is prohibited;
 - on the west side of the street during the months of December, January, February, March and from the 1st to the 15th of April, May June, July, August, September, October and November; and
 - on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and(c) That the City Traffic By-law No. 89-72 be amended accordingly.
8. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Dromore Crescent between Paisley Avenue North and Marion Avenue North; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
9. (a) That a "No Parking" regulation be implemented on the west side of Glen Arms Street; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
10. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Cloverhill Road from Brantdale Street to the southerly end; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.

11. (a) That an "Alternate Side Parking" regulation be implemented on Brigadoon Drive between Garrow Drive and Fiona Crescent, such that parking is prohibited on:
 - the west and north sides of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
 - the east and south sides of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
12. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Broadway Avenue between Royal Avenue and Whitney Avenue; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the south side of Inglewood Drive be extended such that the regulation commences at a point 239 feet east of the west curb line of Bay Street South and extends to the easterly end; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That a "No Parking" regulation be implemented on the west side of Acadia Drive commencing at Butler Drive and extending to a point 152 feet northerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That a "Permit Parking" regulation be implemented on the east side of Weir Street North commencing at a point 234 feet south of Britannia Avenue and extending to a point 22 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Phylis Seraphin, No. 174 Weir Street North; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.

16. (a) That a "Permit Parking" regulation be implemented on the east side of Haddon Avenue South commencing at a point 25 feet north of Westwood Avenue and extending to a point 22 feet northerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Bahadur, No. 147 Haddon Avenue South; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That the existing "No Stopping, Wheelchair Loading Only 24 hours a day, seven days a week" regulation on the north side of Howe Avenue that commences at a point 62 feet west of East 17th Street and extends to a point 25 feet westerly therefrom be removed; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That a "No Stopping, Wheelchair Loading Only, 24 hours a day, seven days a week" regulation be implemented on the east side of Garside Avenue South commencing at a point 54 feet north of the north curb line of Bartonville Court and extending to a point 30 feet northerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
19. (a) That a "No Stopping, Wheelchair Loading Only, 24 hours a day, seven days a week" regulation be implemented on the west side of Garside Avenue North commencing at a point 180 feet south of the south curb line of Dunsmure Road and extending to a point 18 feet southerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
20. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the west side of Cranbrook Drive commencing at a point 152 feet south of the south curb line of Greendale Drive and extending to a point 40 feet southerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
21. (a) That the existing "Permit Parking" regulation on the west side of Ontario Street which commences at a point 56 feet south of Stinson Street and extends to a point 24 feet southerly therefrom be removed; and

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
22. (a) That the existing residential boulevard parking agreement registered as Instrument No. 392306 A.B. to the property at No. 2 Blackthorne Avenue be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
23. (a) That the existing residential boulevard parking agreement registered as Instrument No. 453694 C.D. to the property at No. 252 Balmoral Avenue North be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
 - (c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.
24. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Herkimer Street commencing at a point 117 feet west of the west curb line of Locke Street South and extending to a point 120 feet westerly therefrom be extended a further 64 feet westerly; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
25. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Greencedar Drive commencing at a point 50 feet west of the west curb line of Greenguild Avenue and extending to a point 100 feet westerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
26. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 479 Aberdeen Avenue.
27. That the eastbound left turn prohibition from King Street West to Dalewood Crescent, be removed.

28. (a) That westbound traffic on Venetian Drive be required to stop for northbound and southbound traffic on Greencedar Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
29. (a) That a three-way stop control be implemented at the intersection of Guildwood Drive and Novoco Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
30. (a) That southbound traffic on St. Olga Street be required to stop for eastbound and westbound traffic on Solidarnosc Place; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
31. (a) That all-way stop control be implemented at the intersection of Hughson Street and King William Street; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
32. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), for parking enforcement services for 1993, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

<u>Position</u>	<u>Billing Rate</u>
Sergeant	\$ 11.70
Corporal	\$ 11.20
Commissionaire	\$ 10.77

33. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access and hook-ups to newly registered subdivision developments:

Gondola Street -	Block "FX", Plan M129 and Part 3, Plan 62R-12372
Duncairn Crescent -	Part 1, Plan 62R-12403 and Part 7, 62R-12372
Fieldway Drive -	Parts 2, 4, 6, 8, 10 and 12, Plan 62R-12340
Fieldway Drive -	Plan 1, Plan 62R- (RBH-485)
Cartier Crescent -	Block 21, Plan 62M-694
Acadia Drive -	Parts 7 and 10, Plan 62R-11096
Market Street -	Part 1, Plan 62R-12288

Berkindale Drive - Part 6, Plan 62R-11696
Sylvester Street - Block "C", Plan M-206
Acadia Drive - Parts 20 and 21, Plan 62R-10529

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
34. (a) That the Encroachment Agreement for 55 Queen Street North, registered as Instrument No. 333310 C.D., be discharged.
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 333310 C.D.; and in a form satisfactory to the Law Department.
35. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", attached hereto, be approved during the pleasure of City Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
36. That the Planning and Development Committee be requested to hold a neighbourhood public meeting to discuss and review the options regarding the future status of the Pearl, Poulette and Ray Street bridges over C.P. Rail's track.

37. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in:

"WISEMOUNT ESTATES - PHASE 1", Hamilton

City's share - NIL

Subdivider's share \$90,505.66

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Wisemount Estates - Phase 1, Hamilton.
- (c) That approval of the above-noted recommendations be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement they should be allowed to do so at their own risk provided they enter into standard agreement with the City of Hamilton for pre-servicing.
38. (a) That the existing 1992 charges per metric tonne of overload be amended for 1993 as follows:

<u>Type of Vehicle</u>	<u>1992 Charge</u>	<u>% Increase</u>	<u>1993 Charge</u>
Tractor Trailer	\$131.	3.0%	\$135.
Single Unit Truck	\$218.	3.0%	\$225.

- (b) That an administrative fee of \$47. be charged for processing of the permit and the proceeds be credited to the Region of Hamilton-Wentworth and the City of Hamilton pro-rated on the basis of the jurisdiction and length of route.
- (c) That the annual fee and the administrative fee be automatically increased yearly on the basis of the current year's Southam Construction Index.
- (d) That the City of Hamilton Traffic By-Law No. 89-72 be amended accordingly and forwarded to the Region for approval.

39. That Section 10 of By-law No. 84-35 which provides for Maintaining Land in a Clean and Clear Condition be amended to read "Every owner, lessee, or occupant or other person who contravenes any provision of this by-law, is guilty of an offence and upon conviction is liable to a fine as specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Ch.P.33, as amended".
40. (a) That the outstanding commitments in the 1988 to 1991 Roadway Reconstruction Programs in the amount of \$3,201,120.93 be financed from the \$4,732,680. available in Unallocated Ministry of Transportation of Ontario (MTO) Subsidies.
- (b) That the Finance and Administration Committee consider the transfer of \$1,000,000. of the Unallocated Excess MTO Subsidy to the 1992 Reconstruction Program.
- (c) That the balance of \$531,559.07 remain in the Excess Unallocated MTO Subsidy.
DELETED, REPLACED AND CARRIED.
41. That the City Treasurer be directed to close the Public Works Department Capital Project accounts detailed in Appendix "B" attached hereto with any excess funding to be transferred to its original source of financing.
42. That an Offer to Purchase, executed by 603976 Ontario Limited (Daniel Valentini, President) on 1992 November 10, with closing to be "conditional upon the Purchaser having entered into a Subdivision Agreement for the proposed Edan Heights - Phase 3 Subdivision with the City of Hamilton and having made all cash payments and security deposits to the City required under the City of Hamilton Subdivision Agreement" and not before 1993 January 14, for the purchase of a One Foot Reserve, be approved and completed, and the funds derived from this sale of \$2. be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land). The subject property is a 1 foot strip of land along the easterly limit of Acadia Drive, shown as the remainder of Part 14, Plan 62R-11920, being also the southerly 160 metres (525 feet) more or less, of Part 14, Plan 62R-11920, containing an area of 48.77 square metres (525 square feet) more or less.
43. That a purchase order be issued to Owl-Lite Rentals & Sales, Etobicoke, for the supply and delivery of Sign Blanks as and when required during 1993 by the Traffic Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Traffic Signs Materials Account No. 56154 75999.

44. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close a portion of the unassumed alleyway between Forest Avenue and the southerly limits of the T.H. & B. Right-of-Way;
- (b) That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
- (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- (e) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.
- (g) That provided the Judge's Order to close the highway is granted:
- i. The Commissioner of Transportation/Environmental Services be directed to prepare a By-law for the sale of the closed highway to the abutting owner.
 - ii. The City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the By-law.

45. (a) That pursuant to the terms of City Tree By-law No. 92-155, wherein, under Section 7, Sub-section (2) it states:

"7-(2) City Council may only under exceptional circumstances, approve the removal of a healthy public tree which is not causing any damage to public or private property."

Approval be given to the owner of 21 Abbington Drive, to remove, at his/her expense, the City tree (14" diameter - white ash) at this address; and

- (b) That the removal of this tree be carried out by a qualified contractor in accordance with terms set out by the Director of Public Works; and

- (c) That, notwithstanding the terms of City Tree By-law No. 92-155, wherein, under Section 10, Sub-section (2) and (3), it states:

"10-(2) If the permit is granted by City Council under Section 7, the person applying for the permit shall pay the City the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture-Canada Inc.

10-(3) The Director may determine the location and tree species of the replacement tree for the tree removed under Sub-section (2)."

Approval for the removal of this City tree be subject to the property owner, providing at his expense, a replacement tree from City stock, of a species and in a location agreeable to the Director of Public Works and the property owner.

REFERRED BACK.

46. (a) That pursuant to the terms of City Tree By-law No. 92-155, wherein, under Section 7, Sub-section (2) it states:

"7-(2) City Council may only under exceptional circumstances, approve the removal of a healthy public tree which is not causing any damage to public or private property."

Approval be given to the owner of 355 Bay Street South, to remove, at his/her expense, the City tree (26" diameter - sugar maple) at this address; and

(b) That the removal of this tree be carried out by a qualified contractor in accordance with terms set out by the Director of Public Works; and

(c) That, notwithstanding the terms of City Tree By-law No. 92-155, wherein, under Section 10, Sub-section (2) and (3), it states:

"10-(2) If the permit is granted by City Council under Section 7, the person applying for the permit shall pay the City the cost of removing the tree plus the cash value of the tree as established by the Ontario Shade Tree Council and the International Society of Arboriculture-Canada Inc.

10-(3) The Director may determine the location and tree species of the replacement tree for the tree removed under Sub-section (2)."

Approval for the removal of this City tree be subject to the property owner, providing at his expense, a replacement tree from City stock, of a species and in a location agreeable to the Director of Public Works and the property owner.

REFERRED BACK.

47. (a) That a three-way stop control be implemented at the intersection of High Street and Idlewood Avenue; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
48. (a) That the existing east/west stop sign at the intersection of Sanatorium Road and West 32nd Street be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
49. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Philip Environmental Services Corp. receiving an amendment to their existing Certificate of Approval No. A100140 for a Waste Disposal Site (Processing) located at 52 Imperial Street, Hamilton, provided;
- i. That Philip Environmental Services Corp. prepares and submits a contingency plan to the Ministry of the Environment and the City of Hamilton that adequately addresses the issue of noise complaints which may arise from neighbours due to 24 hour operations;

- ii. That all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment and that all applicable City of Hamilton and Regional By-laws are complied with fully;
 - (b) That a copy of this report and the corresponding City Council resolution be submitted to the West Central Branch of the Ministry of the Environment for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent;
 - (c) That the Ministry of the Environment be requested to forward a copy of the final Certificate of Approval to the City of Hamilton upon its completion.
50. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton does not support the application by Harbour Front Recycling Inc. for an amendment to their Waste Disposal Site (Processing), until the following conditions have been met to the satisfaction of the Municipality;
- i. Current stockpiles of waste are reduced to meet the Ontario Fire Code and the Fire Marshall's Act;
 - ii. Installation of a sprinkler system, in the building designated for storage and transfer of waste, be completed and approved before being utilized for this purpose;
 - iii. Expansion of waste classes be permitted once the proposed machinery is in place and proves capable of handling the current stockpiles of waste;
 - iv. Sufficient financial assurance has been retained by the Ministry of the Environment to effectively remediate the site in the event of unexpected closure;
 - v. The company maintain and submit to the Ministry of the Environment and the City a written monthly summary report on the operation of the site which should include a summary of waste received at the site and a monthly material balance of waste and recyclable material received and transported off-site including the name and location of the facilities receiving each waste and/or recyclable material;

- (b) That Harbour Front Recycling not be permitted to increase their storage capacity from 20 000 tonnes to 40 000 tonnes;
- (c) That the Ministry of the Environment be requested to keep the City formally informed of all dealing with Harbour Front Recycling and their compliance level on their current Certificate of Approval and their requested amendments;
- (d) That a copy of this report and the corresponding City Council resolution be submitted to the West Central Branch of the Ministry of the Environment for their consideration in the preparation of the Certificate of Approval which would apply to the development and operation of the facility proposed by the proponent.

51. That leave be granted to introduce the following Bills:

- (a) **Bill A-92** By-law to incorporate Block FX, Plan M-129 and Part 3, Plan 62R-12372 into Gondola Street
- (b) **Bill A-93** By-law to incorporate Part 7, Plan 62R-12372 and Part 1, Plan 62R-12403 into Duncairn Crescent
- (c) **Bill A-94** By-law to incorporate Parts 2, 4, 6, 8, 10 and 12, Plan 62R-12340 into Fieldway Drive
- (d) **Bill A-95** By-law to incorporate Part 1, Plan 62R- into Fieldway Drive
- (e) **Bill A-96** By-law to incorporate Block 21, Plan 62M-694 into Cartier Crescent
- (f) **Bill A-97** By-law to incorporate Parts 7 and 10, Plan 62R-11096 into Acadia Drive
- (g) **Bill A-98** By-law to incorporate Part 1, Plan 62R-12288 into Market Street
- (h) **Bill A-99** By-law to incorporate Parts 20 and 21, Plan 62R-10529 into Acadia Drive
- (i) **Bill A-100** By-law to incorporate Part 6, Plan 62R-11696 into Berkindale Drive

- (j) **Bill A-101** By-law to incorporate Block C, Plan M-206 into Sylvester Street
- (k) **Bill A-102** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (l) **Bill A-103** By-law to Amend By-law No. 89-72 to Regulate Traffic

52. (a) That eastbound traffic on Melvin Avenue be prohibited from turning right onto Pottruff Road from 3:00 p.m. to 6:00 p.m., Monday to Friday; and

(b) That three-way stop control be implemented at the intersection of Pottruff Road and Ede Street; and

(c) That the existing "No Parking" regulation on the west side of Woodman Drive from Queenston Road to a point 430 feet northerly therefrom be rescinded; and

(d) That the City Traffic By-law No. 89-72 be amended accordingly.

ADDED AND CARRIED.

53. That leave be granted to introduce the following Bills:

(a) **Bill A-104** By-law to Amend By-law No. 89-72 to Regulate Traffic

(b) **Bill A-105** By-law to Amend By-law No. 89-72 to Regulate Traffic

ADDED AND CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN V. J. AGRO, ACTING CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1992 November 30

1992 December 8

Appendix "A" as referred to in
Section 35 of the THIRTEENTH Report
of the Transport and Environment
Committee for 1992

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
32 John Street North	Portion of Building encroaching onto King William Street	John Dimas 22 Haymarket Street Hamilton Ontario L8N 4C9	\$220.40/20.	T103-50 (1023)
69 Hughson Street North	Vinyl Awning	700 Richmond Street Suite 312 London Ontario N6A 5C7	\$220.42/172.	T103-50 (1024)
387 King William St.	Portion of Building, Chimney and Eaves encroaching onto assumed alley and wood steps encroaching on King William Street	Spears, Smith & Associates Att: J. Smith 44 Hughson Street South Hamilton, Ontario L8N 2A7	\$112./20.	T103-50 (986)
374 East 43 Street	Concrete Curb encroaching onto East 43 Street	Joseph McLaren 1278 Barton Street East Hamilton, Ontario L8H 2W1	\$112./20.	T103-50 (990)

Appendix "B" as referred to in Section 41
of the THIRTEENTH Report of the Transport
and Environment Committee for 1992

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Comm itted To Date	Balance Available	Source Of Financing
a) 608741002	Construct Works Yard @ Turner Farm	2,750,000.00	2,740,632.35	9,367.65	Reserve Prop. Pur. And Debenture
b) 608943004	Clean Up - Strawberry Drive	6,300.00	0.00	6,300.00	Reserve Capital Unclass.
c) 609041009	Upper Ottawa Street Depot	359,000.00	362,481.28	(3,481.28)	Reserve Capital Unclass.
d) 609051014	Vacalls, Steam Jenny, Elephant Vacs	222,000.00	216,996.97	5003.03	Reserve Capital Unclass.
e) 609151007	Self Mounted Power Road Direction	50,000.00	35,853.07	14,146.93	Reserve Capital Unclass.
f) 609151006	New Equip. - Street Sweepers	130,000.00	117,385.65	12,614.35	Reserve Capital Unclass.
g) 609151009	B. A. Court Yard - Resource Recovery Pit	281,500.00	242,697.36	38,802.64	Reserve Capital Unclass.
h) 609143011	Major Maintenance - Grounds	50,000.00	39,712.87	10,287.13	Reserve Capital Unclass.
i) 609145012	Parking Lots - Construct Repair (1991)	114,000.00	115,548.15	(1,548.15)	Reserve Capital Unclass.
j) 609151005	New Equip. - Sander Wing Plow Unit	108,500.00	106,155.63	2,344.37	Reserve Capital Unclass.
k) 609151008	Equip. Concrete Grinder	35,000.00	12,830.27	22,169.73	Reserve Capital Unclass.
l) 609241001	Repair Quansit Structure - Upper Ottawa	50,000.00	32,585.74	17,414.26	Reserve Capital Unclass.
TOTAL		4,156,300.00	4,022,879.34	133,420.66	

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-SECOND** Report for 1992 and respectfully recommends:

1. That the contracts between the Corporation of the City of Hamilton and Mr. D. Shock, Pro-Manager at King's Forest Golf Course and Mr. J. Beddome, Pro-Manager at Chedoke Golf Course and Winter Sports Park be renewed for a 24 month period subject to the following conditions:
 - (a) That salary increments be negotiable, but not to exceed that which is provided to Non-Union City of Hamilton employees.
 - (b) That the Pro-Managers provide not less than \$2 million public liability insurance for bodily injury and property damage naming the City as insured with respect to the operation of the Pro-Shop.
 - (c) That the City Solicitor be authorized and directed to have prepared and executed the necessary documents.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

2. That the City Treasurer be directed to close the Culture and Recreation Department Capital Project Accounts as detailed in Appendix "A" attached hereto with excess funding to be transferred to its original source of funding.

3. (a) That the City convey to the abutting owner Richard Over, Part 12, Registered Plan 62R-11955, having a frontage of 0.4 metres (1.31 feet) more or less, along the easterly road limit of East 19th Street, by a depth of 41.887 metres (137.425 feet) more or less, being irregular in shape, and comprising a total area of 19.999 square metres (215.27 square feet) more or less, for \$1. to be credited to Account No. CH5X303 00102 (Reserve for Property Purchases), as this remnant land is surplus to municipal requirements and not suitable for development.
- (b) That the City Solicitor be authorized to prepare the necessary deed.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
4. That a purchase order be issued to Westburne Supply Ontario, Burlington, for the supply and delivery of light fixtures and poles as and when required during 1993 for various parks, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed from Stock Account No. CH56197 60999.
5. That a purchase order be issued to NEDCO - a Westburne Division - Hamilton, for the supply of anodized finish light fixtures and poles as and when required during 1993 for Harbourfront Parks, being the lowest of four tenders received in accordance with the specifications issued by the Manager of Purchasing and Vendor's tender and be financed from Stock Account No. CH56197 60999.
6. That the City Treasurer be directed to close the Public Works Department Capital Project Accounts as detailed in Appendix "B" attached hereto with excess funding to be transferred to its original source of financing.
7. (a) That the following Plan A rates be approved and implemented for the 1993 Golf Season:

PLAN A:

	<u>1992 RATES</u>	<u>1993 PROPOSED RATES</u>	<u>\$INCREASE</u>
<u>CHEDOKE</u>			
Adult	\$ 528.04 + 36.96 gst = \$ 565.	\$ 556.08 + 38.92 gst = \$ 595.	\$30.
Couples	\$ 990.65 + 69.35 gst = \$1060.	\$1028.05 + 71.95 gst = \$1100.	\$40.
Family	\$1084.11 + 75.89 gst = \$1160.	\$1144.87 + 80.13 gst = \$1225.	\$65.
Junior	\$ 191.59 + 13.41 gst = \$ 205.	\$ 219.63 + 15.37 gst = \$ 235.	\$30.
Intermediate	\$ 369.16 + 25.84 gst = \$ 395.	\$ 355.14 + 24.86 gst = \$ 380.	-\$15
Pensioner	\$ 364.49 + 25.51 gst = \$ 390.	\$ 355.14 + 24.86 gst = \$ 380.	-\$10.

KING'S FOREST

Adult	\$ 621.50 + 43.50 gst = \$ 665.	\$ 654.21 + 45.79 gst = \$ 700.	\$35.
Couples	\$1130.84 + 79.16 gst = \$1210.	\$1177.58 + 82.42 gst = \$1260.	\$50.
Family	\$1224.30 + 85.70 gst = \$1310.	\$1308.42 + 91.58 gst = \$1400.	\$90.
Junior	\$ 257.01 + 17.99 gst = \$ 275.	\$ 285.05 + 19.95 gst = \$ 305.	\$30.
Intermediate	\$ 387.85 + 27.15 gst = \$ 415.	\$ 373.84 + 26.16 gst = \$ 400.	-\$15.
Pensioner	\$ 383.18 + 26.82 gst = \$ 410.	\$ 373.84 + 26.16 gst = \$ 400.	-\$10.

- (b) That the following Plan B be implemented for the 1993 Golf Season and that the rates be comprised of a fee one third (1/3) of Plan A rates, plus one half (1/2) of the applicable green fee rate to be paid per round of golf.

PLAN B:CHEDOKE

Adults	\$ 186.91 + 13.09 gst = \$ 200.	<u>KING'S FOREST</u> \$ 219.63 + 15.37 gst = \$ 235.
Couples	\$ 345.80 + 24.20 gst = \$ 370.	\$ 392.53 + 27.47 gst = \$ 420.
Family	\$ 378.50 + 26.50 gst = \$ 405.	\$ 439.26 + 30.74 gst = \$ 470.
Junior	\$ 70.10 + 4.90 gst = \$ 75.	\$ 72.90 + 5.10 gst = \$ 78.
Intermediate	\$ 116.82 + 8.18 gst = \$ 125.	\$ 126.17 + 8.83 gst = \$ 135.
Pensioner	\$ 116.82 + 8.18 gst = \$ 125.	\$ 126.17 + 8.83 gst = \$ 135.

- (c) That Plan A and B purchase plans be available to all persons.
- (d) That the following 18 Hole Green Fee rates at Chedoke be approved:

	<u>Existing</u>	<u>Proposed 1993</u>
Martin	\$23.	\$19.
Beddoe	\$25.	\$23.

- (e) That Non-Residents be required to pay a \$100. surcharge on all categories.
- (f) That the Pensioners (over 70) category be deleted.
- (g) That the surcharge of \$3. per player for Tournament participants be discontinued.
- (h) That a package of 11 green fee tickets be available for the cost of 10 applicable green fees commencing immediately up until 1993 March 31.
8. (a) That the City of Hamilton support the Hamilton World Curling Championships Bid Committee in their efforts to host the 1997 World Curling Championships in Hamilton at Copps Coliseum.

(b) That the Finance and Administration Committee be requested to consider the following recommendations:

- i. That the City of Hamilton provide the financial assistance of a \$20,000 grant to the Hamilton World Curling Championships Bid committee to prepare and present a bid to the World Curling Federation.
- ii. In the event of a successful bid, the City of Hamilton would also provide financial assistance in the form of an interest free, loan of \$500,000 payable to the Hamilton World Curling Championship committee per the following schedule:

March 1993.....	\$100,000
December 1994.....	\$275,000
December 1995.....	\$125,000
Total Funding.....	\$500,000

9. That the Director of Public Works be authorized to submit an application to host either the 1995, 1996 or 1997 Ontario Parks Association Annual Conference and Annual General Meeting combined with the Ontario Recreation Facilities Association and the Association of Aquatic Personnel of Ontario.
10. (a) That the City endorse the proposal of erecting a statue honouring the late Dr. Victor Cecilioni.
- (b) That Alderman T. Cooke and staff work together with Mr. Pat Valeriano and the Cecilioni Family to determine and recommend a suitable site for this monument.
11. That the Parks and Recreation Committee appoint the following persons to the Hamilton Historical Board for a term to expire 1995 November 30:

Jean Blackmore

Brian Carriere

Dennis Missett

Claire Riddell

Respectfully Submitted,

Kevin C. Christenson
Secretary
1992 December 1

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1992 December 8

Appendix "A" as referred to in
Section 2 of the TWENTY-SECOND Report
of the Parks and Recreation
Committee for 1992

CULTURE AND RECREATION DEPARTMENT CAPITAL PROJECTS

<u>Capital Account</u>	<u>Project Description</u>	<u>Authorized Cost</u>	<u>Expended</u>	<u>Balance</u>	<u>Source of Funding</u>
708643001	Bike Paths Phase 1	330	321	9	Capital Levy
708743001	Bike Paths Phase 2	330	99	231	Capital Levy
709054021	Mountain Bocci	8	8	0	Capital Levy
738304002	Mountain/Scourge Centre	6	0	6	Capital Levy
708241001	Highland Gardens Field House	80	0	80	Capital Levy
708551004	Inch Park Ice Making System	900	713	187	Capital Levy
708641001	Scott Park Arena	600	393	207	Capital Levy
708741003	Scott Park Arena Increase Cost	219	177	42	Capital Levy

PARKS DIVISION CAPITAL BUDGET CLOSURES

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financ'g
a) 628854002	Upgrading Gage Park	118,000.00	117,638.36	361.64	Capital Levy
b) 628854101	Parks Develop't Projects	321,400.00	295,189.05	26,210.95	Reserves Parkland & Capital Unclass.
c) 628954003	Gage Park Perennial Borders	37,000.00	36,528.10	471.90	Reserves Parkland & Capital Unclass.
d) 418454001	Waterfront Park - Study Phase	150,000.00	147,517.97	2,482.03	Reserve Capital Unclass. Debent'r Serial & Sinking Fund
e) 418454010	Waterfront Park - Crystal Palace Loc'n Study	30,000.00	30,000.00	0.00	Reserve Capital Unclass.
f) 418454002	Waterfront Park - Improvem'ts	50,000.00	45,107.45	4,892.55	Capital Levy
g) 418454003	Waterfront Park - Consultant Services	200,000.00	193,140.60	6,859.40	Capital Levy
h) 418454004	Waterfront Park - Envir'm't'l Study	600,000.00	600,000.00	0.00	Capital Levy & Reserve Capital Unclass.
i) 418454005	Waterfront Park - Environm't'l Assessment	277,000.00	262,311.53	14,688.47	Reserve Capital Unclass.
j) 418454007	Waterfront Park - Market Financial Conceptual Study	131,000.00	130,844.16	155.84	Provinc. Grant & MTC Subsidy
k) 418454008	Waterfront Park - Waste Clean up - Lax Property	90,000.00	90,000.98	(0.98)	Reserve Capital Unclass.
l) 628945001	Renovate Chedoke Golf Course Parking Lot	156,400.00	156,045.42	354.58	Capital Levy Debent'r Serial & Sinking Fund
m) 629154005	Victoria Park Floodlight'g	55,000.00	53,330.85	1,669.15	Reserve Parkland
TOTAL		2,215,800.00	2,157,654.47	58,145.53	

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FIRST** Report for 1992 and respectfully recommends:

1. (a) That the fifth and sixth annual Business Development Seminar be held in partnership with the Regional Municipality of Hamilton-Wentworth Economic Development Department on 1993 October 27 (Wednesday) and 1994 October 27 (Thursday) at the Hamilton Convention Centre.

 (b) That the Region be requested to include the Business Development Seminar in the 1993 marking plan and the budget deliberation process of the Economic Development Department.

 (c) That future funding for Business Development Seminars be made available in account CF5625428803006.
2. That the Building Commissioner be authorized to issue demolition permits for:

 (a) 122 Province Street North
 (b) 829 Rymal Road East
 (c) 1512 Upper Gage Avenue
3. That the Building Department be authorized to enter into an agreement with the Ministry of Social Services respecting the administration of funding for properties owned by their clients as per the requirements of the City's Property Standards By-law.
4. That a Hamilton Emergency Loan Program (H.E.L.P.) in the amount of one thousand, two hundred and nine dollars (\$1,209) be approved for Lillian Danby, 11 Collier Crescent, Hamilton. The interest rate will be 8 per cent amortized over 4 years.

5. (a) That Item 1(b)(ii) of the 12th Report of the Planning and Development Committee approved by City Council on 1992 June 30 be deleted in its entirety and replaced with the following:

"the acquisition program for Alpha East (east of Sherman Avenue North), which was put on hold in 1989 December be resumed for the approximately 11 residential properties remaining, on a willing seller/willing buyer basis with no expropriation contemplated, when funding is available."
- (b) That the City Treasurer be directed to close Capital Budget Account No. 308750001 (Land Acquisition Enclave Clearance Program) upon completion of the acquisition and assembly of lands in the Alpha West Residential Enclave with any excess funds remaining to be transferred to its original source of funding.
- (c) That a new project submission form, along with the appropriate cost be submitted to the Capital Budget Sub-Committee by the Planning Department as a new project for the 1993-2002 Provisional Capital Budget consideration.
6. That approval be given to Zoning Application 92-38, Allan T. McGuirl and Florrie McGuirl, owners, requesting a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District (Block "2"), to permit the development of the subject lands for small lot single-family dwellings, for property located at the rear of 614 Stone Church Road East, shown as Blocks "1" and "2" on the attached map marked as Appendix "A", on the following basis:
 - (a) That Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
 - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C for presentation to City Council;

- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

7. A. That approval be given to amended Zoning Application 92-39, Pane Del Sole Bakery (Mr. Gaetano Lattuca), owner, for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit a parking lot at 150 Catharine Street North, to be used in conjunction with an adjoining bakery use located at 104 Cannon Street East, as shown on the attached map marked as Appendix "B", on the following basis:

(a) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District as contained in Section 10 of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(i) That notwithstanding Section 10(1) of Zoning By-law No. 6593, only a parking lot accessory to the adjoining bakery use located at 104 Cannon Street East shall be permitted, subject to the following conditions:

(1) That a landscape planting strip having a minimum width of 1.5 m shall be provided and maintained along the northerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within the landscape planting strip, except for any area used for vehicular access;

(2) That a landscape planting strip having a minimum width of 1.5 m, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly lot line;

(3) That a landscape planting strip having a minimum width of 2.4 m shall be provided and maintained along the westerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained within the landscape planting strip;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1297, and that the subject lands on Zoning District Map E-4 be notated S-1297;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

B. That the amending By-law not be forwarded for passage by City Council until such time as the owner applies for and receives site plan approval, and the site plan is registered on title with the land.

DELETED, REPLACED AND CARRIED.

8. That Zoning Application 92-40, Frank and Filomena Ricci, owners, requesting a modification to the existing "C" (Urban Protected Residential, etc.) District, to permit establishment of a residential care facility for nine residents, notwithstanding the minimum radial separation distance of 180 metres between such facilities, for property located at 21 Dunsmure Road, as shown on the attached map marked as Appendix "C", be denied for the following reasons:

- (a) It conflicts with one of the primary goals of the Residential Care Facilities By-law to provide the residents with an opportunity to live in an environment that closely approximates a family situation. This proposal represents a 50% increase in the number of permitted residents (from 6 to 9);
- (b) It is contrary to the Residential Care Facilities By-law which requires a minimum radial separation distance of 180 metres between facilities to preserve the residential character of neighbourhoods. This facility is within 180 metres of five other residential care facilities (see Appendix "B");
- (c) Approval of this application would encourage other similar applications which, if approved, would further contribute to the existing over-concentration of such facilities in Gibson Neighbourhood; and,

1992 December 8

- (d) The Department of Social Services advise there is no demonstrated need for additional retirement home beds in the City since there were 227 vacant beds in the system as of the end of August, 1992.

9. That leave be granted to introduce the following Bills:

- (a) Bill C-126 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 860 Upper Wentworth Street
- (b) Bill C-127 A By-law to establish site plan control respecting land located at Municipal No. 860 Upper Wentworth Street
- (c) Bill C-128 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 90-286 respecting land located at Municipal No. 79 Rymal Road West
- (d) Bill C-129 A By-law to amend Zoning By-law No. 6593 and to repeal By-laws No. 79-152 and 84-228 respecting land located at Municipal No. 217 Cannon Street East
- (e) Bill C-130 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1123, 1131 and 1135 Stone Church Road East

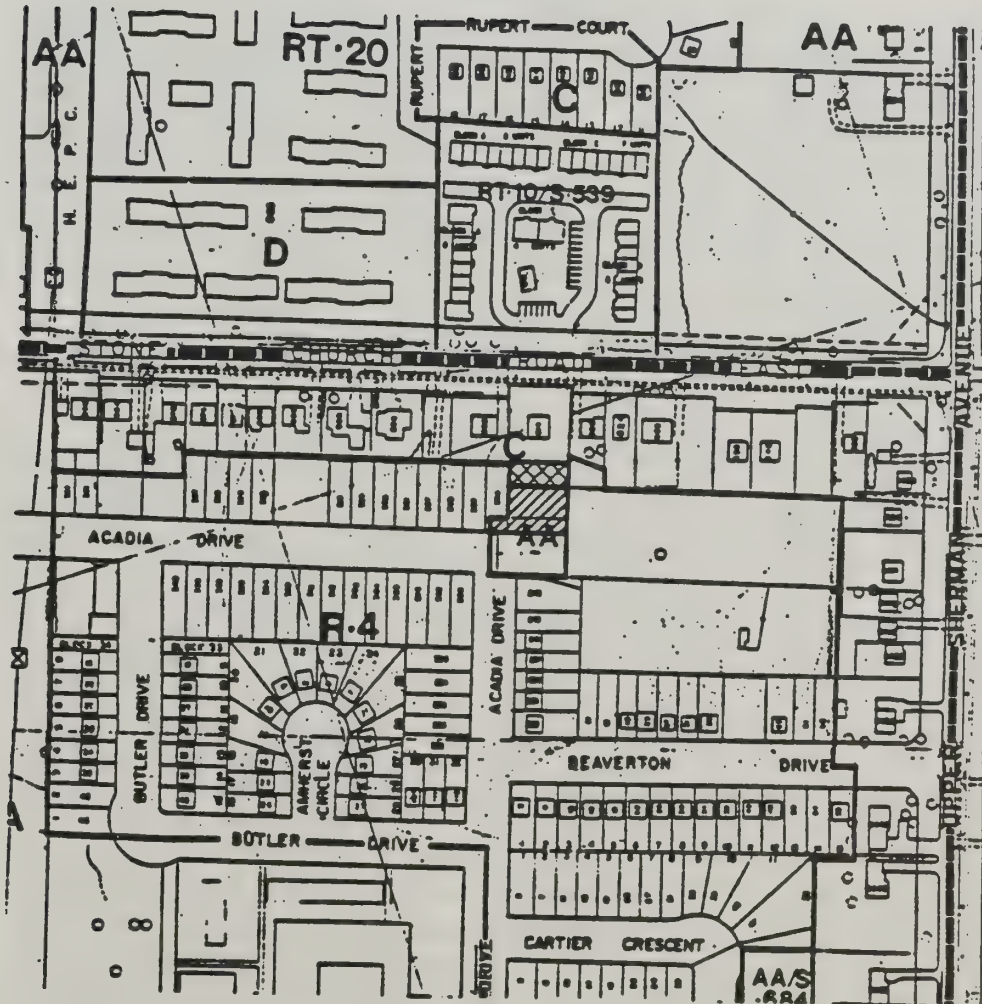
Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE



Tina Agnello
Secretary
1992 December 02

1992 December 8

Appendix "A" as referred
to in Section 6 of the
TWENTY-FIRST Report of
the Planning and Development
Committee for 1992



Legend

- Proposed changes in zoning:
- BLOCK 1  From "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.
- BLOCK 2  From "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District.



1992 December 8

Appendix "B" as referred
to in Section 7 of the
TWENTY-FIRST Report of
the Planning and Development
Committee for 1992



Legend



Change in zoning from "H" (Community Shopping and Commercial, etc.) District
to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified.



Amended

Appendix "C" as referred
to in Section 8 of the
TWENTY-FIRST Report of
the Planning and Development
Committee for 1992



Legend



Site of the Application

↑
ZA-92-40

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FOURTH** Report for 1992 and respectfully recommends:

1. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the "Hamilton Program for Schizophrenia".
2. That Section 22 of the Eighteenth Report of the Finance and Administration Committee for 1992 respecting the presentation of Civic gold pins to members of the Hamilton-Wentworth Aquatic Club be amended by deleting the name "Shannon Clark" and inserting in lieu thereof, the names "Tina Scott", "Erin Dermody" and "Donna Vakalis" as members eligible for this award. **AMENDED AND CARRIED.**
3.
 - (a) That approval be given to the request of the Jewish Community Centre of Hamilton-Wentworth to place their Chanukah Menorah on the balcony outside the Council Chambers from Friday, 1992 December 18 to Tuesday, 1992 December 29.
 - (b) That a representative of the Jewish Community Centre be granted access to the balcony at approximately 7:00 p.m. each evening during this period to light the Menorah.
 - (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
4. That the Hamilton Farmers' Market Fee Schedules, reflecting a two (2%) percent increase for 1993 and attached hereto as Appendix "A", be adopted to replace the Fee Schedule previously approved by the Finance and Administration Committee and City Council which, by oversight, did not include the Fees relating to Stands 70a, 72a, 92, 176 as well as page 2 of the said Fee Schedule.

5. That the list of 274 names, attached herewith and marked Appendix B", of individuals who have renewed their names on the Taxicab Priority List, in accordance with By-law 89-249, be received for information.
6. That the contract settlement of the Hamilton Construction Association and the Labourers' International Union of North America, Local 837, Hamilton be received pursuant to the Fair Wage Policy of the City of Hamilton.
7. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/Committed To Date	Balance Available	Source(s) of Financing
a) 708551004	Inch Park Arena - Replace Ice Making System	\$900,000.00	\$ 713,334.03	\$186,665.97	RCP* Debenture PS**
b) 708641001	Scott Park Arena - Replace Surface and Piping	600,000.00	393,074.73	206,925.27	Debenture PS**
c) 708741003	Scott Park Arena - Renovations	219,000.00	176,777.00	42,223.00	RCP* Debenture
d) 319241001	Jimmy Thompson District Centre - Replace Pool Filtration	250,000.00	181,241.91	68,758.09	Debenture
TOTAL				\$504,572.33	

*RCP - Reserve for Capital Projects

**PS - Provincial Subsidy

8. WHEREAS the Hamilton Public Library Board in addition to delivering library services to citizens of Hamilton also provides services from its specialized collections to citizens of Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek;

AND WHEREAS the Region-wide (i.e., encompassing Hamilton, Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek) services provided from the Library's specialized collections are now solely paid by taxpayers of the City of Hamilton;

AND WHEREAS in order to enable the Hamilton Public Library Board to continue to offer the said Region-wide services to all residents of the Regional Municipality of Hamilton-Wentworth it is appropriate to recover such costs from taxpayers of the Region.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Hamilton as follows:

- (a) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to affirm its support for the Region-wide services provided by the Hamilton Public Library Board from its specialized collections; and,
- (b) That Regional Council be requested to reimburse the Hamilton Public Library Board for the direct cost portion (without overhead costs) of the Library's Region-wide services as the provision of these services is in the interests of the Regional Municipality; and,
- (c) That Regional Council be requested to implement its support of the Library's Region-wide services by including funds in its 1993 budget to provide the said reimbursement to the Hamilton Public Library Board. The direct cost of providing these Region-wide services (excluding overhead costs) from its specialized collections in 1991 was \$1,280,504. Under this proposal, during 1991 the Region would have collected \$896,352. from Hamilton taxpayers and \$384,151. from taxpayers in Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek; and,

- (d) That if the Library's Region-wide services are not supported by Regional Council, the Hamilton Public Library Board is requested to report to Hamilton Council on alternative solutions regarding costs of its Region-wide services including reviewing the availability of such programmes to the public at no cost or at cost; and,
 - (e) That the City Clerk be directed to forward this resolution to the Council of the Regional Municipality of Hamilton-Wentworth for consideration and response.
9. (a) That the City of Hamilton sponsor the 1993 Civic Reception for the Hamilton Air Show to be held on Saturday, 1993 June 19th at a cost of \$8,500.; and,
- (b) That this amount be funded from the 1993 Account of the Special Civic Receptions and Delegation Hosting No. CH55314-84010.
10. (a) That payment of the account of S. S. Wilson & Associates for consulting services in respect to the Ontario Municipal Board hearing on the Lapp Property in the total amount of \$31,469.29 be approved; and,
- (b) That this amount be charged to Account No. CH55265-44001.
11. That Charitable and Non-Profit Groups no longer be regulated as transient vendors by the City's Licensing Code.
12. (a) That the City quit claim to the Region a vacant parcel of land situated in the Regional Municipality of Hamilton-Wentworth, west of Dartnall Road, being composed of part of Lot 3, Concession 8, in the former Township of Barton, more specifically known as Part 3 on Plan 62R-12318 and containing an area of 10.7 square metres (115.2 square feet) more or less, be approved and completed and the funds derived from this transfer of \$1. be credited to Account No. CH4X999 00102 (Reserve for Property Purchases - Other Revenue); and,
- (b) That the City Solicitor be authorized to prepare the necessary documents; and,

- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
13. (a) That an Option to Purchase, executed by Naim Investments Ltd. (Chaim Marcovitz, Assistant-Secretary) on 1992 November 17, and scheduled for closing on or before 1993 February 15, for the purchase of 13 Walnut Street North, more particularly described as Lot 19, Registrar's Compiled Plan 1393, said lands comprise 801.26 square metres (8,625 square feet) more or less, with frontage along the west side of Walnut Street North of 22.921 metres (75.201 feet) more or less, be approved and completed and the purchase price of \$225,630. be charged to Account No. 5698-909145001 (Land Acquisition - General); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
14. (a) (i) That the Livery Vehicles By-law be amended so as to create one class of licence for limousine service. Current rates or fares are to be maintained; and,
- (ii) That the licensing and regulating of Class "B" Livery Vehicles be repealed; and,
- (iii) That the Annual Licence Fee for a Private Taxicab be reduced to a nominal fee of \$5. where a Wheelchair Accessible Vehicle is utilized; and,
- (iv) That the definition of taxi be extended to include vehicles with a legal capacity of ten persons including the driver; and,
- (v) (1.) That any vehicle with a capacity in excess of 10 persons, including the driver, not be regulated; and
- (2.) That persons operating smaller vehicles and providing special transportation services be requested to attend the Licensing Committee to explain why they should be excluded from regulation under the Taxicab By-law; and,

- (vi) That, in 1993 February, a discussion paper be presented by the Licence Division on a revised Taxicab By-law to improve service to the public, reduce costs to the Taxi Industry and simplify the By-law respecting enforcement and compliance, with an aim to allowing the taxi industry to be more competitive on all fronts; and,
 - (vii) That any transportation of school children that originates and terminates within the boundaries of Hamilton be carried out by:
 - (1.) A school bus licensed by the Ministry of Transportation to carry ten (10) or more passengers or,
 - (2.) A taxi licensed by the City of Hamilton to carry nine (9) passengers or less; and,
 - (b) That staff develop by-law provisions implementing the above, with an aim to ensuring enforcement by complaint and inspection; and,
 - (c) That the City Solicitor be authorized and directed to prepare the necessary draft By-law to be brought back to the Taxi Advisory Committee for further consideration.
15. (a) That the organizational structure for the City Clerk's Department attached herewith and marked as Appendix "C", which provides for the following changes be approved.
- (i) Elimination of the following positions:
 - (1.) Deputy City Clerk
 - (2.) Administrative Assistant IV
 - (3.) Typist Clerk II (Births & Deaths)
 - (4.) One Licence Inspector II

- (ii) Reclassification/Retitling of the following positions to reflect reassignment of duties:
- (1.) Manager, Records Division
 - (2.) Freedom of Information Officer
 - (3.) Administrative Assistant III
 - (4.) Counter Clerk
 - (5.) Smoking Information Officer
- (b) That job descriptions for each of the above positions be prepared and forwarded to the Commissioner of Human Resources for review of salary classification for subsequent consideration and approval of the Core Group, Finance and Administration Committee and City Council; and,
- (c) That the Inspection Section of the Licensing Division be relocated back to City Hall with the physical inspection of the Taxi Cabs being carried out in a portion of the City Garage; and,
- (d) That renovations to the City Clerk's Department and City Garage required to accommodate these changes, be approved at an estimated cost of \$52,100. and charged to Accommodation Requirements-City Hall and Security Improvements-City Hall accounts; and,
- (e) That the property at 195 Rebecca Street, which is currently being utilized by the Inspection Section of the Licensing Division, be deemed surplus to the City Clerk's Department's needs and if deemed surplus to other municipal needs, be disposed of.

Recorded vote on Section 15 (d)

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1.

16. That the following resolution from the City of Vaughan respecting Surplus of Municipal Campaign Funds, be ~~endorsed~~:

WHEREAS the Municipal Elections Act provides that any surplus municipal election campaign funds must be deposited with the Clerk to be held in trust for use in the next municipal election campaign or become part of the general funds of the municipality;

AND WHEREAS it may be desirable to utilize these surplus funds for charitable purposes;

NOW THEREFORE BE IT RESOLVED that the City of Vaughan requests the Minister of Municipal Affairs to amend the Municipal Elections Act to provide that candidates to municipal elected office have the option of expending surplus election campaign funds on a subsequent campaign or donating the funds to a registered charitable organization;

AND FURTHER THAT this resolution be forwarded to the Association of Municipalities of Ontario and all municipalities with a population over 50,000 for endorsement.

AMENDED AND CARRIED.

17. For the information of the members of City Council, the Finance and Administration Committee have appointed the following persons to the English Language Sub-Committee and the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30:

(a) English Language Sub-Committee

Michael Berens
Elvira Krackovic

(b) Hamilton Status of Women Sub-Committee

Gina Monaco
Carmen Nemeth
Janet Stewart

18. That the following salary classifications be approved:

(a)

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>SALARY GRADE</u>	<u>SALARY</u>
Manager, Real Estate Division	Manages all aspects of the Real Estate Division. Ensures the effective and economic acquisition and disposition of property.	F	\$67,462.20 - \$79,383.20 per annum
(b) Assistant Manager of Building Operations & Maintenance	Assists in the management of the property maintenance and caretaking programs for Civic properties. Directs the operations and maintenance building utility and HVAC systems.	H	\$58,386.12 - \$68,816.28 per annum
(c) Cultural Marketing Co-ordinator	Develops, builds and maintains a positive public profile and relationship for the arts and museums. Promotes the cultural component of the Culture & Recreation Department.	N	\$37,794.64 - \$44,568.68 per annum

(d)	Curatorial Programming Assistant	Supervises the day to day activities of interpretative staff and volunteers. Develops, implements and promotes public programs, events and activities.	N	\$37,794.64 - \$44,568.68 per annum
(e)	Administrative Co-ordinator (Fleet Services)	Supervise administrative staff. Plan, develop and administer annual budget. Analyze, monitor and maintain vehicle information records.	M	\$40,640.60 - \$47,819.20 per annum

19. That the "special tax" charge totalling \$450. collected from the property owners bordering Proctor Boulevard and Park Row for the annual beautification maintenance of these boulevards, be eliminated.
20. That the recommendation with respect to the addition to the Mountain Skating Centre to serve as a multi-purpose space, as approved by City Council on 1992 July 28, in adopting the Fourteenth Report of the Parks and Recreation Committee, and which reads:

"8. (a) That the Director of Culture and Recreation and the Director of Property be authorized to proceed with a design-built, 1,200 square foot addition to the Mountain Skating Centre to serve as multi-purpose space at a cost not to exceed \$100,000. contingent upon a financial contribution from the Hamilton Skating Club.

(b) That funding be provided from Account No. CF709041011."

be expanded to account for the revised project total and the disposition of financing, as follows:

- (a) that the gross cost of the Twinning of the Mountain Arena be increased by \$35,000. from \$2,011,590. to \$2,046,500. to accommodate the addition to the Mountain Skating Centre, and
 - (b) that any excess funding from the Reserve for Capital Projects as a result of provincial subsidies and the Hamilton Skating Club contribution, be credited back to the Reserve for Capital Projects.
21. (a) That the following transfers be approved to distribute Ministry of Transportation (M.T.O.) subsidies to the 1988 to 1991 Roadway Reconstruction Programs:

Program (1)	From (2)	To (3)
1988 Reconstruction Program	\$ 289,523.04	
1989 " "	354,758.03	
Excess Unallocated M. T. O. Subsidies	3,201,120.93	
1990 " "		\$1,037,402.00
1991 " "		<u>2,808,000.00</u>
	<u>\$3,845,402.00</u>	<u>\$3,845,402.00</u>

- (b) That an amount of \$1,000,000. be transferred from the Excess Unallocated M.T.O. Subsidies to the 1992 Reconstruction Program to reduce the amount of Capital Levy financing required.
22. (a) That the "Reserve for Capital Projects - C.U.P." be closed and the balance of \$3,858. transferred to the "Reserve for Capital Projects" (City); and,

- (b) That the "Reserve for Long Term Disability Plan" be combined with the "Reserve for Medical" and "Reserve for Group Life" and be renamed "Reserve for Employee Benefits - Self Insurance" to better reflect the mix of funding in this account related to Group Life, L.T.D., and medical costs, and the goal of wholly funded self-insurance for each of these benefits; and,
- (c)
 - (i) That the "Reserve for Office Equipment", which presently covers replacement of motorized office equipment, be renamed "Reserve for Replacement of Office Equipment and Furniture" and the purpose be amended to include replacement of facsimile equipment and furniture such as chairs, tables, desks, work stations, dividers, etc.; and,
 - (ii) That expenditure approval for replacement from this reserve include the C.A.O., Treasurer and Manager of Purchasing, in accordance with the spending limits and purchasing policies of the City; and,
- (d) That a new reserve, the "Reserve for G.S.T. Adjustments" be created and funded from the unanticipated G.S.T. recovery associated with the Hamilton Hydro's appeal for special municipal status with respect to charging G.S.T., and the subsequent reimbursement to the City, in the amount of \$134,343.; and,
- (e) That actuarial valuations be performed on the following reserves in order to determine the appropriate level of funding, and that the costs of the valuations be charged to the applicable reserve:
 - (i) Reserve for Sick Leave (payment of employee's accumulated sick bank upon termination or retirement)

- (ii) Reserve for Workers' Compensation (payment to W.C.B. for costs of worker injuries plus administration fees by W.C.B.)
 - (iii) Reserve for Employee Benefits - Self Insurance (to fund group life, L.T.D. and medical costs).
- (f) That the "Reserve for Maintenance of Playground Facilities" be closed and the balance of \$47,970. plus any accrued interest be transferred to the Playground Equipment Project (709152001) to fund the net overdraft in that project of \$41,642. with the balance to be credited to Unallocated Capital Levy; and,
- (g) That the "Reserve for Uninsured Losses" be credited with any unexpended balance remaining in the insurance premiums cost centre at the end of each year in order to assist in the funding of this reserve; and,
- (h) That unallocated Capital Levy at the end of each year be transferred to the Reserve for Capital Projects to form part of the funding for future capital projects; and,
- (i) For the information of the members of City Council, copies of a booklet entitled "Analysis of Reserves", dated 1992 November 26th, were distributed to members of the Finance and Administration Committee and are available from the Committee Secretary upon request.
23. That outstanding business taxes in the amount of \$356,743.05, be written-off in accordance with Section 441 of the Municipal Act, R.S.O., 1990, and charged to Account CH53401-24106, Tax Write-offs.
24. That outstanding Accounts Receivable and Civic Properties Rental Arrears totalling \$42,408.40 be written off and charged to Account CH 15401-00001, Allowance for Doubtful Accounts.
25. That the Treasurer be authorized to complete any documents necessary to participate in joint investment pools authorized under the Municipal Act or other enabling Provincial legislation.

26. That as a result of amendments to the Cemeteries Act by Bill 31 "An Act to Revise the Cemeteries Act", the Treasurer be authorized to take the following actions with respect to reserves/trust funds:
- (a) Create a new reserve entitled "Reserve for Cemetery Building Fund - Niches" to be funded by 42.5% of the revenue received from the sale of niches; and,
 - (b) Create a new Trust Fund entitled "Care and Maintenance Fund for Monuments and Markers" to be funded by the formula provided under the Cemeteries Act, which is a separate charge to ensure safety of markers and monuments; and,
 - (c) Re-title the "Perpetual Care Trust Fund" to the "Care and Maintenance Fund".
27. (a) That as referred to in Section 8 of the Twenty-Second Report for 1992 of the Parks and Recreation Committee Report, the \$20,000. grant to the Hamilton World Curling Championships Bid Committee to prepare and present a bid to the World Curling Federation be funded from the current "Contingency" account, Centre 24120; and,
- (b) That the requirements for an interest free loan to the Hamilton World Curling Championships Bid Committee in the event of their successful bid, in the amount of \$500,000., be funded from the "Reserve for Contingency", Centre 00115; and,
 - (c) That the City Solicitor prepare an agreement between the applicant and the City of Hamilton for the loan which would include the timing of the payments by instalments and the eventual repayment of the loan to the City; and,
 - (d) That the Regional Municipality of Hamilton-Wentworth be approached regarding possible Regional participation in the funding of the 1997 World Curling Championship Bid and Event and should such participation be forthcoming, that the City financing referenced above be reduced accordingly; and,

- (e) That one City staff person and one member of City Council serve on the Hamilton World Curling Championship Bid Committee.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Agostino, Merling. -3. CARRIED.

28. That effective 1993 January 1, taxpayers be permitted to enrol in the Optional Monthly Automatic Payment Plan (MAPP) at any point in time during the year. This enrolment is subject to the taxpayer's compliance with the requirements of By-law Number 71-69. In addition enrolment during the year would require that all tax arrears as well as the current instalment due be paid.

29. (a) That the City of Hamilton petition the Premier of Ontario to protest the action taken by Ontario Hydro to increase the cost of power effective 1993 January 1, by approximately 8.2%, despite current economic hardships; and,
(b) That Hamilton Hydro be commended for its attempts to manage this Provincial increase as efficiently as possible by levelling a rate increase of 6.91%.

Recorded vote on Section 29 (a).

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Wilson. -1.

30. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15162/89 by accepting payment from the Defendants, Manuel Raposo and Delta Ready Mix Limited of \$12,000. inclusive of all damages, interest and costs; and,

- (b) That City of Hamilton resolve Ontario Court (General Division) Action No. 15259/89 by accepting payment from the Defendants, Manuel Raposo and Delta Ready Mix Limited the sum of \$9,200. inclusive of all damages, interest and costs; and,
 - (c) That the City provide Full and Final releases in a form satisfactory to the City Solicitor in both actions, and that both actions be dismissed.
- 31.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 32435/91 by the payment to the Plaintiff, Andrew Wilson, of the sum of \$15,765. inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department; and,
 - (c) That the Ontario Court (General Division) Action No. 32435/91 and any and all crossclaims shall be dismissed without costs.
- 32.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 26772/91 by the payment to the Plaintiffs, Anna and Paul Chaisson of the sum of \$6,000. inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiffs be required to provide a Full and Final Release in a form satisfactory to the Law Department; and,
 - (c) That Ontario Court (General Division) Action No. 26772/91 be dismissed without costs.
- 33.
 - (a) That the City decline the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 418/90, dated 1992 September 2nd; and,
 - (b) That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action No. 418/90 in the following terms:

- (i) That the City of Hamilton pay to the Plaintiffs, Edward Gerard Cross, Angela Nicole Cross, Heather Cross by her litigation guardian, Angela Nicole Cross and Edward Cross junior, by his litigation guardian, Angela Nicole Cross the sum of \$20,000. inclusive of all General and Special Damages; and,
- (ii) That the City of Hamilton pay to the Plaintiffs pre-judgment interest on the above noted sum at the rate of 5% per annum, calculated from the date of notice to the City to the date of payment pursuant to acceptance of the Offer; and,
- (iii) That the City of Hamilton pay to the Plaintiffs their Party/Party costs, including disbursements, to be agreed or assessed; and,
- (iv) That the Plaintiffs provide a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (v) That the action be dismissed without costs.

34. That leave be granted to introduce the following Bills:

- (a) Bill H-71 By-law to Consolidate: The Hamilton Farmers' Market By-law No. 81-180 and amendments thereto enacted between 1981 and 1992 into one by-law, and to incorporate the Hamilton Farmers' Market 1993 Fees Schedule.
- (b) Bill H-72 A By-law to Repeal By-law 92-095.
- (c) Bill H-73 A By-law to Amend Schedule 22 to Licensing By-law No. 79-323 Respecting Transient Vendors.
- (d) Bill H-74 A By-law to Amend Municipal Tax Levy By-law 71-69 Respecting Optional Pre-Authorized Realty Tax Payments.
- (e) Bill H-75 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

35. (a) That a grant in the amount of \$20,000. be approved to assist in the construction of a handicapped ramp at St. Gregory the Great Banquet Hall at 125 Centennial Parkway; and,
- (b) That the funds for this grant be charged to the Capital Grants Account No. CF5693 259155007. **ADDED AND LOST.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Agostino, Eisenberger, Jackson, Merling. -8.

NAYS: Aldermen Cooke, Agro, McCulloch, Copps, Wilson, Charters, Anderson, D'Amico, Ross. -9. **LOST.**

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 December 3**

1992, December 8

Hamilton Farmers' Market

SCHEDULE "B"

Appendix "A" referred
to in Section 4 of the
Twenty-Fourth Report of the
Finance and Administration
Committee for 1992.

PART 1: PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers' Fees		
		Monthly Daily YRLY		
1 to 8	(Refrigeration Units)	275.00	N/A	3300.
12 to 18	(Refrigeration Units)	275.00	N/A	3300.
22	(Refrigeration Units)	275.00	N/A	3300.
9,10,11	(Refrigeration Units)	230.00	N/A	2760.
19,20,21	(Refrigeration Units)	230.00	N/A	2760.
23 to 46	RAMP	160.00	26.00	1920.
47 to 62A	North Wall - Main Floor	160.00	26.00	1920.
63 to 70	West Wall - Main Floor	160.00	26.00	1920.
71 to 95	South Wall - Main Floor and Under Ramp	160.00	26.00	1920.
96 to 100	Loading Docks (from 7:30am to 4:00pm)	160.00	26.00	1920.
101 to 111	East Wall - Main Floor	160.00	26.00	1920.
112 to 143	Stands in Middle from East to West (North Side)	160.00	26.00	1920.
144 to 175	Stands in Middle from West to East (South Side)	160.00	26.00	1920.
30a,36a,37a,46a		89.00	12.00	1068.
70a,72a		67.00	12.00	804.
92		225.00	26.00	2700.
176	Coffee Shop	320.00	N/A	3840.

1992 December 8

Hamilton Farmers' Market

PART 2: DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No.'s</u>	<u>Dealers' Fees</u> <u>Per Annum</u>
1 to 176	\$ 91.00

PART 3: PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance..... \$ 7.00 per day

PART 4: FRIDAY MARKET FEES

8 FT. Refrigeration Unit	\$ 17.00 per day
12 FT. Refrigeration Unit	\$ 21.00 per day
Regular Stands	\$ 12.00 per day
Each Additional Stand	\$ 7.00 per day
Coffee Shop	\$ 23.00 per day
Daily Users' Fees	\$ 26.00 per day

1992 December 8

**CITY OF HAMILTON
TAXICAB PRIORITY LIST**

Appendix 'B' referred
to in Section 5 of the
Twenty-Fourth Report of the
Finance and Administration
Committee for 1992.

NOTE: Plate issuances are NOT automatic for any reason.
All applications are considered within the terms
and conditions contained in relevant by-laws as
enacted by Hamilton City Council.

All addresses without the name of a City/Town are located
within the City of Hamilton.

EFFECTIVE: JULY 25, 1989 - City Council
REVISED: Sep. 30, 1992 - Licensing Committee

APPLICATION DATE YR/MO/DAY	NAME	ADDRESS	PHONE NUMBER
69.4.21	Vivian Philips	700 Upper Kenilworth #1011	387-4680
71.11.17 (Medical deferment - March 12, 1987)	Heinz Kruger	468 James Street North	
73.5.11	Lou Parco	751 Auburn Cr. Burlington	637-1402
75.8.18	Simon Hishmeh	74 Garden Crescent	389-0397
75.9.15	Hassan Agha	35 Fennell Avenue West	387-4058
78.1.25	Barbara Jean O'Neill	R. R. #2 Nanticoke, Ont.	776-2310
78.2.1	Marilyn Majoros	501-99 Herkimer Street	528-8607
78.2.13	Paul Hathaway	136 Gage Avenue South	547-8889
78.2.15	John Donald	270 Kensington Avenue North	545-6230
78.2.15	Theresa Donald	270 Kensington Avenue North	545-6230
78.2.15	Roman Jankevicius	12 Bernard Street	577-2775 549-1455
78.2.16	Cecil Snow	25 Carene Avenue	561-6789
78.2.23	Robert Offen	1165 Fennell Ave. E. #505	383-6127
78.3.7	George Kepenyas	50 Governor's Road #901, Dundas	628-4939
78.4.3	Hans Wienhold	517 Stone Church Road West	387-6296

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78.4.17	Khalil Zourob	404 Upper Ottawa Street	575-1232
78.7.24	Ishar Singh Thiara	2055 Deer Run Avenue Burlington	335-4375
78.12.5	William T. Winship	262 Tragina Avenue North	545-1522
79.1.2	George J. Racik	81 Victoria N. Effort Sq PO 91093 L8N 4G3	525-8934
79.3.30	Joseph Kubina	13 Warwick Road, Stoney Creek	664-4282
79.4.3	Peter C. Eldridge	136 Bay Street S. #607	525-9576
79.5.9	Muriel Truelove	31 Fern Place	383-5922
79.5.9	John Driscoll	9113 Twenty Road, Mount Hope	679-6089
79.5.9	Ken Muschik	375 Melvin Avenue #3	547-5970
79.5.9	John Pope	566 King Street East	529-1034
79.5.9	Gordon Simigian	59 Earl Street	544-5850
79.5.9	Gary A. Vere	121 Hunter St. W. #1110	523-1310
79.5.9	Richard M. Stolman	75 Queen Street North #1904	522-0080
79.5.10	Gerald J. McRoberts	66 Greendale Unit 15	385-3643
79.5.10	Garry C. Gardiner	644 Main Street West #1018	523-6106
79.5.10	Petros Iliou	182 Rothsay Avenue	548-6405
79.5.10	Steve Iliou	78 Garden Crescent	575-5986
79.5.10	Norman L. Domenico	107 Belmont Ave.	549-1385
79.5.11	Norman G. Chatten	536 James Street North	529-4984
79.5.11	June Luke	110 San Remo Drive	387-0350
79.5.11	Donald Fraser	170 Prospect Street South	544-8791
79.5.14	Judith Offen	1165 Fennell Ave E. #505	383-6127
79.5.15	Daniel Gagnon	459 Knightbridge Cr. Ancaster	648-0689
79.5.16	Sydney Sinclair	23 Spring Street #39	529-5024
79.5.17	Edward J. Halloran	111 South Bend E.	385-9110

1992 December 8

79.5.18	Walid Chafic	1420 Garth Street, #39	388-0402
79.5.18	Leopauld G. Beauchamp	175 West Avenue North	525-9348
79.5.22	Yair Ziser	39 Yarmouth Court	527-1600
79.5.23	Hannibal Rizzuto	33 Nellida Cr R R #1 Ancaster	383-3206
79.5.28	Malcolm R. Moore	113 Highway #8, Dundas	627-0283
79.5.28	Colin O'Rourke	75 Wendover Drive #111	
79.5.28	William D. Cranston	493 Mohawk Road West	574-2489
79.6.1	Thomas G. Brown	9 Lamoreaux Street #70	522-0927
79.6.4	Lynne B. Clay	633 Upper James #210	383-1943
79.6.6	Leonard Willetts	159 Prospect St. S., #101	544-8502
79.6.26	Gerald J. Tremblay	377 Charlton Avenue West	525-7142
79.6.26	Raymond Picken	151 Stinson Street #7	52424379
79.6.28	Earl J. Shaidle	120 Strathcona Ave. N #319	523-0041
79.7.5	Stan Krok	75 Queen Street North, #1903	522-8877
79.7.12	Wainwright Cruickshank	56 Yorkdale Cr. Stoney Creek	578-7930
79.7.13	Gordon Cumming	9 Stroud Road	
79.8.15	Adnan Shedhadeh	44 Queen Street North, #611	528-6440
79.8.24	Susan D. Jackson	61 Norman Street	545-7645
79.9.11	Sharon Bellamy	350 Britannia Avenue	547-0283
79.10.1	Daniel L. Bernier	35 Beechwood Avenue	549-0234
79.10.5	Lorraine Mooney	26 Gerrick Court	389-8430
79.10.30	William J. Perkins	50 Strawberry Drive	578-4002
79.11.9	Larry Roberge	487 Knightsbridge Ct Ancaster, Ontario	648-2183
79.11.14	Roger Francoeur	15 Isidore Pl. Stoney Creek	578-5872
79.11.19	Michael McLoughlin	819 Lee Ct. Burlington	637-5265

1992 December 8

79.12.6	Peter Obratoski	5 Empire Court	560-0635
79.12.17	Zuhair Shihadeh	11 Kendale Ct. #207	574-3864
79.12.18	Dan Bissett	8 Tuer Avenue, Grimsby	945-0131
80.1.14	Antal Takacs	240 Mohawk Road East #608	385-0603
80.2.11	J. Michael Grant	2189 King St. E., B1	547-3599
80.2.12	Marc Stuart Hathaway	14 Twilight Court	560-7135
80.2.14	Yoginder K. Sharma	217 MacIntosh Dr. Stoney Creek	664-1963
80.2.27	Adelia Balice	326 Darlington Court	388-7674
80.2.28	Cosimo Balice	326 Darlington Court	388-7674
80.4.10	James O'Neill	185 East 31st Street	388-2968
80.7.14	Anthony Paul DiCiccio	834 Mohawk Road West	389-9471
80.7.29	Inam-Ur-Rehman	15 Nicklaus Drive, #801	578-7253
80.10.6	Joginder S. Sanghera	3314 Hannibal Rd., Burlington	336-5039
80.10.6	Gurdip S. Soor	85 Brant Haven Drive	560-3690
80.12.5	Mohammad Ahmed	123 Bold Street #38	
80.12.18	William T. Stokoe	93 East 38th Street	575-1230
80.12.22	Kalous Kaloustian	121 Hunter Street West #610	525-0419
80.12.23	Robert Koczerzat	35 Melrose Avenue N.	unknown
80.12.24	Solomon Marcellin	56 Algonquin Ct.	387-2693
81.1.7	Randall G. Cruden	157 Ranwood Ct	575-7121
81.1.20	Michele A. Gilmour	21 Lorne Avenue	
81.2.18	Donald S. McCaskie	126 Wellington St. S. #1	
81.4.8	Nathan Anderson	144 Albion Falls Blvd.	388-1743
81.4.22	John Weiss	8 Brae Crest, Stoney Creek	664-4878
81.4.30	Shirley Hathaway	14 Twilight Court	
81.8.6	Daniel Veltri	413 Britannia Avenue	549-2548

1992 December 8

81.10.26	Stephen Jones	85 Halam Avenue	883-9050
81.10.30	Ronald Mladenich	30 Glendale Avenue N #1	547-3668
81.11.24	Wayne Stewart McGregor	241 Edgemont South	547-0480
81.12.14	Elaine Suggett	R R #6 Simcoe, Ontario	428-1870
81.12.16	George Truelove	31 Fern Place	383-5922
81.12.18	Larry E. Fitzpatrick Sr.	418 Paling Avenue	549-5991
82.1.13	Donald Horrocks	858 Upper James Street P O Box 20256, Hamilton	574-1617
82.1.18	Richard Urban	232 Gibson Avenue	545-3970
82.1.28	John Francis Mooney	26 Gerrick Court	389-8430
82.1.28	Anthony Rizzuto	8 Chateau Court	388-3310
82.2.1	Philip Dales	195 Wellington St. S. #143	572-6174
82.2.3	William Earle	275 Wexford Avenue South	544-2613
82.2.8	Drago Basic	1224 Wilson Street	523-0120
82.2.10	Alecia Davis	858 Upper James St. P O Box 20256, Hamilton	574-1617
82.2.26	John C. MacDonald	89 Balmoral Avenue North	544-8554
82.3.18	Theodors Toma	23 Quincy Court	385-9664
82.4.5	Putrus Isak	2020 Cliff Rd. #402 Mississauga, Ontario	524-1465
82.4.14	Jogindar Singh Dhaliwal	563 Queen Victoria Drive	385-7625
82.6.8	Keith Johnson	P.O. Box 65547, Dundas	524-1968
82.6.10	Donna Bourke	81 Sparton Ave. Stoney Creek	664-7310
82.6.24	William Khammo	51 Markham Crescent	561-0195
82.6.24	Andrea Rochelle Rosart	70 Falkirk Drive	383-0168
82.6.30	Paul Robertson	500 Greens Road, #917 Stoney Creek	662-6841
82.7.21	Thomas F. Sebisty	1266 Fennell Avenue East #405	575-0974

1992 December 8

82.7.21	Pierre Richard	227 Catharine St. N.	525-0582
82.8.9	Frederick R. Neale	201 Rosslyn Avenue North	549-0326
82.8.31	Valerie Visheau	14 Wedgewood Avenue	573-6343
82.9.16	Ross Cole	9 Longwood Road South, #202	
82.9.21	Dale Martin	162 Tragina Avenue North	544-2265
82.10.8	Richard Sindall	569 Timber Lane, Burlington	637-2603
82.10.18	Harbans Singh Kalsi	43 Sundrop Ct, Ancaster	383-2296
82.11.1	Mark Granby	35 East 23rd Street	
82.11.8	Uffe Mortensen	257 Cope Street	544-2450
82.11.8	William G. Romans	5880 Walkers Road, Mount Hope	679-6689
82.12.1	Sam Veltri	159 Barnesdale Avenue North	544-4241
82.12.17	Elizabeth Jane Milligan	160 Garside Avenue North	549-3900
82.12.17	Tessie Mary Manson	624 Stone Church Rd E	574-3665
82.12.23	Ahmad Malik	1001 Main Street West #822	524-2784
83.1.4	Glen Bridges	21 Garvey Crescent	561-3755
83.1.21	Gurdial S. Kapur	32 Pheasant Place	388-6046
83.2.21	Ronald Geer	85 Barlake Avenue #905	561-7929
83.4.27	Basil W. Scime	123 Rosedene Avenue	387-4769
83.5.18	Devinder Bains	2068 Headon Forest Dr Burlington	336-5983
83.6.9	Sandra Fukumoto	180 Lavender Drive	648-8943
83.7.4	Dane Hathaway	366 Templemead Dr	389-0495
83.8.15	Madan Lal Arora	38 Regis Ct, Stoney Creek	
83.9.1	William A. Gravelle	17 Holly Avenue	549-6548
83.9.19	Brenda Roberge	487 Knightsbridge Cr Ancaster, Ontario	648-2183
83.10.25	Mohinder Singh Lamba	111 Highland Rd West Group c, Box 46, Stoney Creek	578-9468

1992 December 8

84.1.26	Lee Micheal Vidovich	97 1/2 John Street South	521-5557
84.1.31	Richard VanKleef	135 Stewartdale Avenue	522-0748
84.7.12	Rudolph A. Cizek	1115 Paramount Dr. #72 Stoney Creek, Ontario	578-3965
84.8.2	Jefferson Lee Singler	687 Penny Lane, Burlington	634-0928
84.10.1	Alan R. Kent Sr.	42 Collegiate Drive Stoney Creek, Ontario	662-6229
84.10.1	Alan R. Kent	67 Northridge Dr. Grp 1 Box 5, Smithville, Ontario	957-2507
84.10.1	Janice Parry Kent	67 Northridge Dr. Grp 1 Box 5, Smithville, Ontario	957-2507
84.10.1	Richard N. Madeleine	703 Rennie Street	547-3294
84.10.3	Collette Roberge	30 Atkins Drive	575-9777
84.10.10	Anthony P. Tartaglia	33 Nellida Cr. R R #1 Ancaster, Ontario	383-3206
84.10.10	Al Reichert	856 Upper James St PO 20213, Hamilton	318-1345
84.10.22	Anne Scime	123 Rosedene Avenue	387-4769
84.10.23	Robert J. Wilson	Box 1021, Hagersville	776-3431
84.10.24	Alphonso Franco	44 Glen Road, #1209	527-4692
84.10.29	Naomi Tasman Bell	172 Sanford Avenue S. #1	570-8894
84.10.30	Paul R. Marshall	60 Birch Avenue	545-5388
84.10.31	Darryl Scott Friend	536 James Street North	529-4984
84.11.20	Bruce Griffith	219 Mohawk Road W	389-4711
84.12.14	Kidane Gebre Zerezghi-Tewolde	63 Anson Avenue	575-4116
84.12.19	Michael Roth	117 Fairleigh Ave. S. #3	547-6024
84.12.19	Ben Kalika	8313 Twenty Road E	679-6326
84.12.28	Ronald W. Moroz	176 Balsam Avenue South	544-3940
85.1.24	Sukhdev Singh Bhatti	631 Rexford Drive	389-4822

1992 December 8

85.2.26	Mohammad Naeem Khan	4 Orphir Road	544-5837
85.3.18	Santokh Dhaliwal	265 MacIntosh Drive Stoney Creek, Ontario	664-7157
85.4.4	Naomi E. Brink	977 Mohawk Road East, #4G	389-9773
85.5.29	Delmer(Wayne)Robinson	55 Victoria Ave. South #602	527-1221
85.5.29	John Miller	168 Rodgers Road	545-8637
85.9.25	Michael J. Bernier	54 Melbourne Street	527-5442
86.1.16	Leonard Roberge	30 Atkins Drive	575-9777
86.1.31	Jack H. Yachouh	315 Queen Victoria Drive	388-7109
86.1.31	Karlís Valodze	78 Dundurn Street North	522-4754
86.2.6	Rudolf J. Weber	66 Afton Avenue	545-3567
86.5.8	Ian E. Morrice	PO Box 3849, Stn C	524-5042.
86.7.2	Michael Geer	P.O. Box 3624, Stn C, Hamilton	664-2702
86.7.3	Denise Georgian	166 East 34th Street	388-7657
86.8.5	Shabir Ahmed	177 Templemead Drive	387-2493
86.8.12	Reginald Hackett	960 Stone Church Road East	575-0907
86.8.27	Harmen Bontekoe	7 Imelda Court	383-4646 383-5615
86.9.5	Habte-ab Tecle-Mariam	631 Upper James Street #304	387-4641
86.10.2	Ibrahim Saddik	129 Adis Avenue	575-9156
86.10.20	Nirinder Jit Dhaliwal	33 Twin Oaks Dr.Stoney Creek	573-1641
86.10.23	Peter H. Robertson	33 Robinson Street #204	526-1624
86.12.10	John Fischer	191 Main Street W. #2206	523-6034
86.12.15	Jeff Sindall	300 Mohawk Rd E #57	389-3534
86.12.29	Anthony R. Rizzuto	8 Chateau Court	388-3310
86.12.29	Felita Anderer	440 Quigley Rj.	560-2716

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86.12.29	J. Wayne Vanderham	1349 6th Concession Rd W R.R. #2 Branchton, Ont.	578-5225
86.12.29	Lance Vanderham	79 Janet Ct	578-3514
86.12.29	Shahid Butt	6 Elsa Ct	574-6547
86.12.30	Shakil Siddiqui	100 Quigley Road, U121	578-1230
87.1.2	Rob Hathaway	136 Gage Avenue South	547-8889
87.1.5	Basharat Butt	1020 Main Street West	521-0853
87.1.8	William Majoros	28 Elmore Drive	318-0729
87.1.9	Eric Shepherd	295 Sirente Drive	383-7950
87.1.20	Ken A. Watson	125 Meadowlark Drive	388-7015
87.1.26	Wayne Lepine	453 Upper Sherman Avenue	383-3878
87.2.10	Dirk J. Van Boort	99 Grosvenor Avenue North	545-3899
87.2.19	Gordon A. Greb	18 Lord Crt	573-7532
87.2.20	Jaswant S. Purewal	26 Cherryridge Close	561-4783
87.2.23	Edward Seeley	162 Tragina Avenue North	544-2265
87.2.26	Radmila R. Iliou	182 Rothsay Avenue	548-6405
87.3.6	Peter Kalika	8313 Twenty Road East	679-6326
87.3.18	Charles Manning	170 East 23rd Street	388-0579
87.4.21	John R. Kurpeikis	23 Myrtle Avenue	521-3064
87.5.1	Joseph Vanderheyden	6 Peacock Place	383-4202
87.5.7	Chris Griffith	41 Ventura Dr, Stoney Creek	560-7711
87.5.16	Nabo Terika	40 Sherman Avenue North	544-4776
87.5.29	Kenneth C. Reichert	42 Limeridge Road East	388-9218
87.5.29	Cindy F. Blackbarow	775 Concession Street #H-3	318-1345
87.8.31	Alisa A. Bellamy	350 Britannia Avenue	547-0283
87.9.10	Dhaya E Yonathan	872 Upper Gage Avenue #201	575-0630
87.9.10	Laura Sindall Harris	175 Limeridge Road W #D9	575-7998

1992 December 8

87.10.8	Bonnie L. Roubos	P.O.Box 3624 Stn C, Hamilton	664-2702
87.10.27	John Scime	13 Beland Avenue South	545-0762
87.11.25	William P. McKenna	633 Upper James Street #110	389-4512
87.12.21	Joseph Varga	112 Barton Street West	529-3763
88.1.4	Berhane Asghedom	240 Mohawk Road East #605	575-1793
88.1.5	Frederick J. Muldoon	45 Cheever Street	
88.1.6	Mario Posteraro	91 Regent Avenue	575-9439
88.1.6	Joe Porco	155 Sawmill Road R R #2 Caledonia, Ont	765-1962
88.1.13	Jagir Multani	29 Tuna Court	388-6167
88.1.14	Gurdeep Braich	287 Morgan Crt, Burlington	332-0030
88.1.18	Charan Bassi	32 Candor Cr., Stoney Creek	643-0093
88.1.20	Brenda Whittaker	111 Teal Avenue, Stoney Creek	662-3790
88.1.29	Mohammad Farooq	16 Fiona Crescent	575-0807
88.2.10	Michael J. Magee	P.O. 23, Millgrove, Ont.	689-7298
88.2.12	James Whittaker	111 Teal Avenue, Stoney Creek	
88.2.15	Michael K. Bezuyen	99 Herkimer Street #902	528-7461
88.2.22	Raphael Kolenko	247 Hwy 8 East Stoney Creek, Ontario	662-8960
88.2.22	Al Arthurs	354 Lake St. Grimsby, Ont.	945-1177
88.2.26	Martha Ferguson	687 Ferguson Rd., Jerseyville	648-3687
88.2.26	Sam Sleiman	149 Ravenbury Drive	575-4804
88.3.8	Paul J. DiCasa	430 Cannon Street East	522-3539
88.3.28	Anthony Vaudin	98 Cheever Street	522-0751
88.3.31	Brian Cosgrove	56 Lochearne Street	524-2325
88.4.19	Rodger McEachern	151 Gateshead Cr. #43	662-1505

1992 December 8

88.4.25	Audrey Johnson	36 Huxley Avenue North	545-5107
88.5.4	Pantelis Ilios	629 Upper Horning Road	575-7870
88.5.11	Farrukh Qureshi	128 Guildwood Drive	575-3840
88.6.8	Antonio Papalia	16 Railway Street	527-4835
88.6.24	Ijaz H. Syed	R.R. #2 Lowbanks	774-7761
88.8.7	Ronald Airth	63 Lilacside Drive	389-4133
88.9.6	Claudio Balice	326 Darlington Court	388-7674
88.9.19	Ghulam N. Butt	36 Birchcliffe Crescent	575-8124
88.10.20	Michael G. Ford	107 Victoria Avenue South	529-0892
88.11.4	Robert Maschewski	158 Ironwood Crescent	385-9104
88.11.10	George Hutchinson	201 Stewartdale	547-3067
88.11.16	Sandra Hathaway	136 Gage Avenue South	547-8889
88.12.28	Robert Van Voorst	49 Valery Crt	383-5130
88.12.30	Sudhir Verma	114 Adis Avenue	575-0446
89.1.10	Ronald VanKleef	121 Central Ave., Grimsby	945-0732
89.1.10	Robert Esselment	281 Cranbrook Drive	388-5552
89.1.11	Brent J. Dawson	116 Catharine St. S.	529-9578
89.1.13	Ray Maurice	72 Stone Church Rd. W. Upper James PO 20271 L9C 7M8	577-7244
89.1.24	Jerry Zaraski	30 Clinton Street	545-2359
89.2.2	Wayne J. Sauchuk	36 Arno Street	318-6785
89.2.13	Larry P. E. Broadbent	56 Jameston Avenue	389-9062
89.4.5	Daniel Sullivan	76 Graham Avenue South	547-1449
89.4.24	Mary Button	210 Province Street North	544-7053
89.7.13	Josephine Rizzuto	8 Chateau Crt	388-3310
89.7.26	Peter Rihbany	28 Barton Street East	524-1268
89.8.3	Dimitrios Alkabakopoulos	39 Larkspur Cr. Ancaster	648-0377

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89.8.8	Elizabeth Elkan	Jackson Sq.P.O. Box 57263 L8P 4X1	522-3539
90.06.15	William Perks	38 Valery Court	388-8665
90.08.31	Gail Rizzuto	8 Chateau Court	388-3310
91.02.20	Ronald Roberge	487 Knightsbridge, Ancaster	648-2183
91.03.26	Edward C. Beattie	16 Berko Avenue	545-5322
91.04.17	Tokunbo(Dave)Ogunlade	310 East 36th Street	574-3149
91.12.09	Raymond Miller	200 Bay Street S. #208	529-8476 541-5394
92.01/03	Jagtar Singh (Chahal) (DOB: Dec. 10, 1964)	151 Queen Street N. #1004	524-1853
92.01.16	Jagtar Singh (DOB: May 10, 1947)	201 Parkwood Crescent	383-3199
92.03.19	Kevin Morgan	260 East 11th Street	385-8062
92.07.07	James Monahan	1324 Monterey Ave. S. #204	545-7612

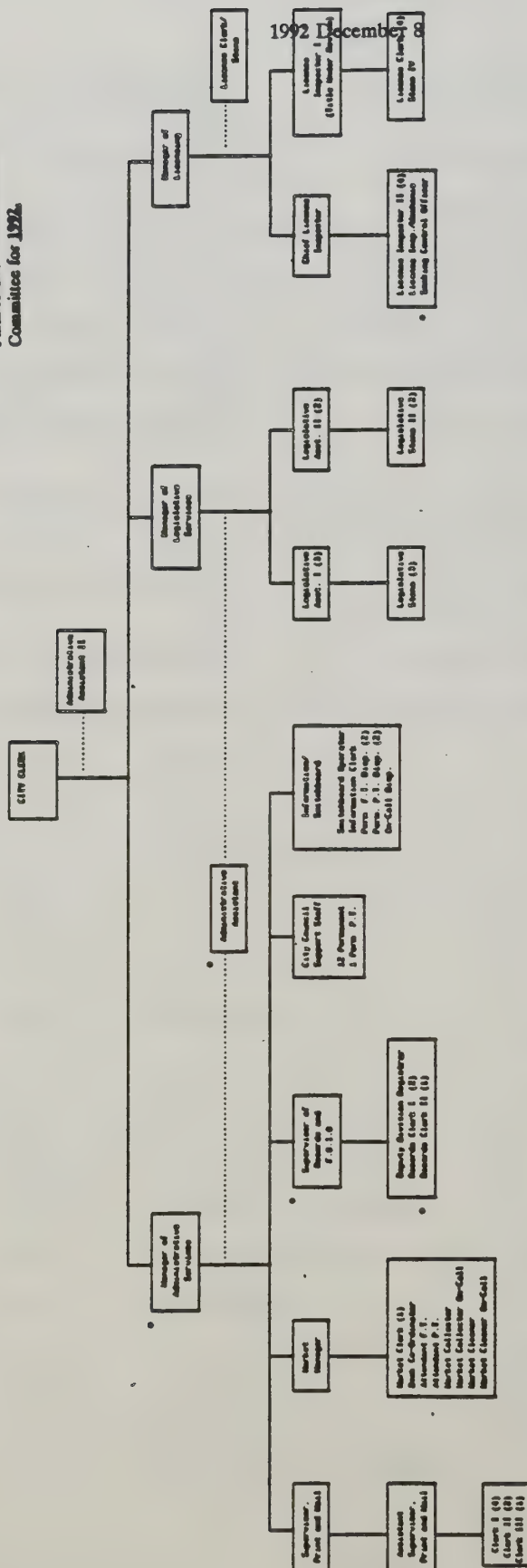
PROPOSED

CITY CLERK'S DEPARTMENT

CITY OF HAMILTON

* Suggested Titles

Appendix C referred to in Section 15 of the Twenty-Fourth Report of the Finance and Administration Committee for 1992.



NOVEMBER 25, 1992

Category	Staff (including CSS-1)	Staff (including CSS-12)
Total Full-time Perm.	4	65
Total Part-time Perm.	4	65

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FIFTH** Report for 1992 and respectfully recommends:

1. (a) That the City of Hamilton take all necessary action to prepare a plan to integrate its administration with the administration of the Regional Municipality of Hamilton-Wentworth; and,
- (b) That the Steering Committee on Administrative Integration be authorized to seek out a Consultant to prepare a plan to assist in implementing this integration at a cost not to exceed \$150,000. to be shared equally between the City and Region; and,
- (c) That the Steering Committee on Administrative Integration report back to Council with an action plan not later than 1993 March 15, at which time City Council will vote on implementing an Administrative Integration; and,
- (d) That the \$75,000. City's share, or one-half of the estimated cost not to exceed \$150,000. for a Consultant to prepare a plan to assist in implementing an Administrative Integration, be financed from the Reserve for Contingency, Centre 00115.

Recorded vote on Section 1 (a) (c) and (d).

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

1992 December 8

Recorded vote on Section 1(b).

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Drury. -1

CARRIED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 December 8**

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SIXTH** Report for 1992 and respectfully recommends:

1. That Alderman B. Charters be appointed Chairman of the Committee of the Whole for a three (3) month term commencing January, 1993.
2. Approval of the following citizen appointments:

	<u>TERM OF OFFICE</u>
(A) HAMILTON CIVIC HOSPITALS BOARD OF DIRECTORS	
i) Joyce Caygill	1994 December 31
ii) Paul Milne	1996 December 31
iii) Lynda Templeton	1996 December 31
Hamilton Civic Hospitals Foundation Nominees	
iv) Gordon Lawson	1996 December 31
v) John Skirving	1996 December 31
(B) HAMILTON HYDRO ELECTRIC COMMISSION	
i) Robert Misener	1995 January 10

(C) KEEP HAMILTON CLEAN COMMITTEE

- | | | |
|------|-------------------|------------------|
| i) | William Bratt | 1993 December 31 |
| ii) | James Auty | 1995 December 31 |
| iii) | Lee Easton | 1995 December 31 |
| iv) | Bob Jaggard | 1995 December 31 |
| v) | Evelyn Principato | 1995 December 31 |

(D) PROPERTY STANDARDS COMMITTEE

- | | | |
|-----|-------------------|------------------|
| i) | William Patterson | 1994 November 30 |
| ii) | Murray Thompson | 1995 November 30 |

(E) LAND DIVISION COMMITTEE

- | | | |
|----|--------------|------------------|
| i) | Donna Madden | 1995 November 30 |
|----|--------------|------------------|

1992 December 8

(F) **HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.**

- | | | |
|------|-----------------|------------------|
| i) | Jackie Isbester | 1995 December 31 |
| ii) | William Tidball | 1995 December 31 |
| iii) | Gene Kay | 1995 December 31 |

Respectfully Submitted.

Mayor R. M. Morrow
Chairman, Nominating Committee

J.J. Schatz, Secretary
1992 December 8

1992 December 15

**Minutes of the Special Meeting of Hamilton City Council
Tuesday, 1992 December 15
7:15 o'clock p.m.
Council Chamber**

Present: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman T. Cooke
Alderman W. McCulloch
Alderman B. Morelli

It was moved by Alderman Kiss and seconded by Alderman Wilson that the Reports of the Finance and Administration Committee and the City Council Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-SIXTH REPORT

COMMITTEE OF THE WHOLE - SIXTH REPORT

Section 1 (d)(ii) Re: 1993 Non-Union Salary Increases - Lay-off Packages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Wilson that the Report of the Finance and Administration Committee and City Council Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Wilson that Bill H-78 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Wilson that Council move into the Committee of the Whole to consider Bill H-78.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bill (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Wilson that the Report of the Committee of the Whole on Bill H-78 be adopted.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Wilson that Bill H-78 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

1992 December 15

The meeting adjourned at 7:25 o'clock p.m.

Taken as read and approved

Mayor R. M. Morrow

J. J. Schatz
City Clerk

1992 December 15

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SIXTH** Report for 1992 and respectfully recommends:

1. (a) That the appropriate Minutes of Settlement in the Assessment Appeal of Dofasco Inc. be approved and the Mayor and City Clerk be authorized to sign the documents.
- (b) That the City remit the necessary funds subject to the finalization of the Minutes of Settlement to the satisfaction of the City Solicitor and the approval of the Ontario Municipal Board and the Assessment Review Board, in accordance with statutory procedure.
2. That leave be granted to introduce the following Bill:

Bill H-78 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1992 December 15**

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1992 and respectfully recommends:

1. That Council re-consider and rescind its decision of 1991 April 2 contained within Sub-section a) of Section 2 of the Seventh Report for 1991 of the Finance and Administration Committee with respect to a 1993 salary increase and replace it with the following in lieu thereof:
 - (a) that members of City Council receive a 0% increase for 1993
 - (b) that non-union staff receive a 0% increase for 1993
 - (c) that labour costs within each defined employee group and City Council be held at the 1992 level. Labour cost is defined as the gross salary cost for that bargaining unit or group of employees and does not include benefits
 - (d) that management team be directed to prepare a plan which would achieve this goal in the 1993 budget year including the following:
 - (i) strategy for discussing alternatives to layoffs with each of the bargaining units
 - (ii) layoff packages which minimize the reduction in service
 - (iii) strategies which would include early retirement packages, continuous improvement, and delayering of management staff
 - (e) that the Commissioner of Human Resources be directed to prepare a report including a Request for Proposal to replace the current non-union salary classification plan and present it to the Finance and Administration Committee prior to consideration of the budget

- (f) that pending a decision by Council on the report in recommendation e) that all re-classifications and merit increases within the non-union and management staff be held in abeyance
- (g) that the Management Team be directed to pursue opportunities within the current workforce for job sharing and or part time employment
- (h) that the Commissioner of Human Resources in consultation with the Treasurer prepare a report on possible early retirement incentives for discussion with those bargaining units who are prepared to discuss alternatives

Recorded vote on Section 1(d)(ii)

YEAS: Mayor Morrow, Aldermen Agro, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Kiss. -1.

CARRIED.

2. That the Commissioner of Human Resources be authorized and directed to enter into negotiations on current collective agreements with Civic unions to pursue alternatives to layoffs and job loss within the Civic workforce.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. WILSON, CHAIRPERSON
COMMITTEE OF THE WHOLE**

**J. J. Schatz
City Clerk
1992 December 15**

1992 December 18

Minutes of the Special Meeting of Hamilton City Council
Friday, 1992 December 18th
11:20 o'clock a.m.
Council Chambers

Mayor R. M. Morrow called the meeting to order at 11:20 o'clock a.m.

Present: Mayor R. Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. 15.

Absent: Alderman Cooke - civic business
Alderman Kiss - vacation

It was moved by Alderman Ross and seconded by Alderman Anderson that Rule No. 4 of the Procedural By-law 82-203 which provides for 1 day's notice of a special council meeting be suspended for this meeting of City Council in order that a special council meeting can be held on Friday, December 18, 1992 for the purpose of considering the 1993 Licence Fees.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

It was moved by Alderman McCulloch and seconded by Alderman Drury that Council move into Committee of the Whole to consider a resolution respecting the 1993 Licensing Fees with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

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It was moved by Alderman Ross and seconded by Alderman Anderson that Rule No. 8 of the Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of the 1993 Licence Fees.

CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Anderson:

1. That the 1993 proposed licensing fees as set out in the attached schedule be approved.
2. That leave be granted to introduce the following Bills:
 - (a) Bill H-76: A By-law to Amend Various Licensing By-laws Respecting Licence Terms and Fees.
 - (b) Bill H-77: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Recorded vote.

YEAS: Aldermen McCulloch, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -10.

NAYS: Mayor Morrow, Aldermen Agro, Drury, Agostino, -4. **CARRIED.**

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It was moved by Alderman McCulloch and seconded by Alderman Drury that the resolution of the Committee of the Whole respecting the 1993 Licensing Fees be adopted.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Drury that the following Bills be now read a first time:

H-76, H-77.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Drury that the following Bills be now considered in Committee of the Whole with Mayor Morrow in the chair:

H-76, H-77.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Drury that the Report of the Committee of the Whole on the following Bills be adopted:

H-76, H-77.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Drury that the following Bills be now read a third time, signed, sealed and enrolled as by-laws:

H-76, H-77.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

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City Council then adjourned at 11:40 o'clock a.m.

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Taken as read and approved.

Mayor R. M. Morrow
Chairman

J. J. Schatz
Secretary
1992 December 18

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	\$	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET			

CLERKS DEPARTMENT

1992 December 18

LICENCE SECTION

Adult Entertainment Parlour

- Owner	3,812.00	4,000.00	5%	Rate increase of 5%.					
- Operator	1,271.00	1,340.00	5%	"					
- Attendant - Dancer	191.00	200.00	5%	"					

Included above

Amusement - Places of

- Amusement Machines	39.00	50.00	28%	Rate increase of 5% (rounded).					
- Maximum	2,541.00	2,670.00	5%	"					

- Amusement Rides - per day

	19.00	\$0.00	163%	"					
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- Carnival - per duration of event (\$90/day for charities)

	500.00	500.00	0%	Provincial limit.					
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Included above

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SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase Due to Fee Inc.	Account #
					TOTAL	TOTAL		
					BUDGET	BUDGET		
CLERKS DEPARTMENT								
LICENCE SECTION								
- Circus	- per day (outside)	Maximum \$500	0%	Provincial limit.				CH45XXX-12000
	- per day (within a building)		0%	"				"
- Arena		254.00	6%	Rate increase of 5% (rounded).				"
- Billiards	- 1st table	66.00	6%	"				"
	- each add'l table	18.00	11%	"				"
- Bingo Parlour	- under 300 persons	66.00	6%	"				"
	- 300-599 persons	128.00	9%	"				"
	- 600-999 persons	191.00	5%	"				"
	- 1000 or more persons	254.00	6%	"				"
- Bowling Alley								
	- 1st 2 beds	54.00	11%	"				"
	- each add'l bed	7.00	43%	"				"
- Public Hall								
	- under 300 persons	66.00	6%	"				"
	- 300-599 persons	128.00	9%	"				"
	- 600-999 persons	191.00	5%	"				"
	- 1000 or more persons	254.00	6%	"				"
- Roller Skating Rink		254.00	6%	"				"
- Theatre		254.00	6%	"				"
- Animal Tags								
	- sprayed/neutered	17.00	0%	Provincial limit.				"
	- Seniors/disabled rate	4.25	0%	"				"
	- not sprayed/neutered	35.00	0%	"				"
	- Seniors/disabled rate	8.75	0%	"				"
- Auctioneer		72.00	11%	Rate increase of 5% (rounded).				"
- Bakerhop		10.00	0%	Provincial limit.				"
- Barber/Hairdresser		19.00	163%	"				"

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	INCREASE DUE TO FEE INC.	ACCOUNT #
					TOTAL	TOTAL		
					BUDGET	BUDGET		
CLERKS DEPARTMENT								
LICENCE SECTION								
Bazaar	10.00	10.00	0%	Provincial limit.				
– Per Game or Wheel – Monte Carlo	3.00	3.00	0%	"				CH45XXX-12004
Bill Distributor	29.00	50.00	72%					
Bill Poster	635.00	670.00	6%	Rate increase of 5% (rounded).				
Body Rub Parlour	6,350.00	6,670.00	5%	"				
– Operator	254.00	270.00	6%	"				
– Attendant	254.00	270.00	6%	"				
Building Exterior Cleaners – Sandblasters	116.00	130.00	12%					
Butcher	37.00	50.00	35%	"				
Cab Broker	380.00	400.00	5%	"				
– 1st issue of licence	254.00	270.00	6%	"				
– each yearly renewal	28.00	50.00	79%					
Cab Driver	10.00	10.00	0%					
– photo every 3 years	10.00	10.00	0%					
– replacement photo	3,308.00	3,480.00	5%	Rate increase of 5% (rounded).				
Cab Owner (private)	193.00	210.00	9%	"				
– each yearly renewal	635.00	670.00	6%	"				
– transfer of plate	263.00	5.00	–98%	Reduced to encourage this type of service.				
Wheelchair Accessible Integrated Taxicab Owner	184.00	5.00	–97%	Approved by Council Dec. 8/92.				
– each yearly renewal	579.00	610.00	5%	Rate increase of 5% (rounded).				
Cab Owner (public)	318.00	340.00	7%	"				
– each yearly renewal	635.00	670.00	6%	"				
– transfer of plate	56.00	60.00	7%	"				
Leasing Agreement	193.00	210.00	9%	"				
– one car	56.00	60.00	7%	"				
– second car	56.00	60.00	7%	"				
Priority List – Initial application & renewal entitlement – each	56.00	60.00						

CH45XXX-12004

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase Due to Fee Inc.	Account #
					TOTAL BUDGET	TOTAL BUDGET		
	1992	1993						
CLERKS DEPARTMENT								
LICENCE SECTION								
Carriage Vehicle	- Dump	276.00	290.00	5%	Rate increase of 5% (rounded).			CH45XXX-12000
	- Others	66.00	70.00	6%	"			
	- add'l. vehicles	66.00	70.00	6%	"			
	- each yearly renewal	66.00	70.00	6%	"			
Driving Instructor		19.00	50.00	163%				
Driving School		50.00	50.00	0%	Provincial limit.			
Drive Yourself Establishment		191.00	200.00	5%	Rate increase of 5% (rounded).			
Dry Cleaners	- Plant	43.00	50.00	16%	"			
	- Receiving Station	24.00	50.00	108%				
Eating Establishments								
- Lunch Counter	20.00	20.00	0%	Provincial limit.				included above
- Refreshment Stand	15.00	20.00	33%	"				
- Restaurant	20.00	20.00	0%	"				
- Drive-in Restaurant	20.00	20.00	0%	"				
Flea Market-Owner								
- 1-20 stands	400.00	420.00	5%	Rate increase of 5% (rounded).				
- Stallholder (excluding 2nd hand & food)	61.00	70.00	15%	"				
Foodshop	10.00	10.00	0%	Provincial limit.				
Fresh Fish	24.00	50.00	108%					
Garage - A (Buying, Selling, Storing)								
- B1 (Combined Engine & Bodywork)	72.00	80.00	11%	Rate increase of 5% (rounded).				
- B2 (Engine Work)	37.00	50.00	35%	"				
- B2 (Bodywork)	24.00	50.00	108%					
- C	10.00	10.00	0%	Provincial limit.				included above
- D (Parking Lot)	29.00	50.00	72%					
- E (Car Wash)	10.00	10.00	0%	Provincial limit.				
Non - Resident Produce Wholesaler	250.00	250.00	0%	Provincial limit.				

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET		
CLERKS DEPARTMENT								
LICENCE SECTION								
Laundry								CH45XXX-12004
- Plant	43.00	50.00	16%	Rate increase of 5% (rounded).				
- Coin-Operated	37.00	50.00	35%	" "				
Livery Vehicle								
- Class A	193.00	210.00	9%	" "				
Livery Vehicle Driver								
- photo every 3 years	28.00	50.00	79%	" "				
	10.00	10.00	0%	" "				
Lodging House								
	140.00	150.00	7%	Rate increase of 5% (rounded).				
Second Level Lodging House								
- 1 to 10 persons	133.00	140.00	5%	" "				
- 11 persons or more	266.00	280.00	5%	" "				
Lotteries (Bingo & Raffles)								
	2% of Prize	2% of Prize						
Marriage Licences								
	53.00	53.00	0%	Provincial limit.				
Massage - Massage - Reflexology								
	43.00	50.00	16%	" "				
Old Gold Dealer								
	25.00	25.00	0%	Provincial limit.				
Pawnbroker (\$2000.00 Surety Bond Required)								
	200.00	210.00	5%	" "				
Pedlar - Foot								
- Vehicles	43.00	50.00	16%	Rate increase of 5% (rounded).				
	159.00	170.00	7%	" "				
Pet Shop								
	29.00	50.00	72%	" "				
Refreshment Vehicle								
- Motor Vehicle	103.00	110.00	7%	Rate increase of 5% (rounded).				
- Pedal Vehicle	103.00	110.00	7%	" "				
Salvage Dealer - per truck								
	20.00	20.00	0%	Provincial limit.				
Salvage Yard								
	20.00	20.00	0%	" "				
Second Hand								
	20.00	20.00	0%	" "				
Special Sale - per \$1000.00 of inventory (cost)								
	3.00	3.00	0%	" "				

SCHEDULE OF USER FEES AND OTHER REVENUES

THE CORPORATION OF THE CITY OF HAMILTON

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1992	EXPLANATION AND/OR COMMENTS	1992	1993	Increase \$	Increase Due to Fee Inc.	Account #
	1992	1993			TOTAL BUDGET	TOTAL BUDGET			
CLERKS DEPARTMENT									
LICENCE SECTION									
Steam Bath	254.00	270.00	6%	Rate increase of 5% (rounded).					
Tobacco Shops	-	25.00	100%	New fee approved by Council.					
Tow Truck	100.00	110.00	10%	Rate increase of 5% (rounded).					
Tow Truck Driver	30.00	50.00	67%						
- photo	10.00	10.00	0%						
Transient Trader - every 3 months per location	500.00	500.00	0%	Provincial limit.					

Note: Automatic rounding to next \$10.00 on Licences therefore the increases may exceed 5%.
Minimum licence fee of \$50.00 unless there is a Provincial limit in force.

CH455XXX-1200

Note: Automatic rounding to next \$10.00 on Licences therefore the increases may exceed 5%.
Minimum licence fee of \$50.00 unless there is a Provincial limit in force.

included above



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YELLOW	25070	JAUNE
BLACK	25071	NOIR
BLUE	25072	BLEU
RL. BLUE	25073	RL. BLEU
GREY	25074	GRIS
	25075	VERT
	25078	ROUILLE
	25079	ROUGE

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TARIO

*SIGNIFIE 75 %
FIBRES RECYCLÉES,
25 % DÉCHETS DE
CONSOMMATION

CONSUMER FIBRE



BALANCE OF PRODUCTS
25% RECYCLED

AUTRES PRODUITS:
25 % FIBRES RECYCLÉES

